

LAW OFFICES OF JOHN BENEDICT

John Benedict, Esq. (Nevada Bar No. 005581)
2190 E. Pebble Road, Suite 260
Las Vegas, Nevada 89123
Telephone: (702) 333-3770
Facsimile: (702) 361-3685
Email: john.benedict.esq@gmail.com

EDELSON LLC

Ryan D. Andrews (*pro hac vice*)
randrews@edelson.com
John C. Ochoa (*pro hac vice*)
jochoa@edelson.com
David D. Dale (*pro hac vice*)
ddale@edelson.com
350 North LaSalle Street, Suite 1300
Chicago, Illinois 60654
Telephone: (312) 589-6370
Facsimile: (312) 589-6378

Attorneys for Plaintiff Flemming Kristensen

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FLEMMING KRISTENSEN, individually and
on behalf of a class of similarly situated
individuals,

Plaintiff,

v.

CREDIT PAYMENT SERVICES INC., a
Nevada corporation, f/k/a
MYCASHNOW.COM INC., ENOVA
INTERNATIONAL, INC., an Illinois
corporation, PIONEER FINANCIAL
SERVICES, INC., a Missouri corporation,
LEADPILE LLC, a Delaware limited liability
company, and CLICKMEDIA LLC d/b/a
NET1PROMOTIONS LLC, a Georgia limited
liability company,

Defendants.

Case No. 2:12-CV-00528-APG
(PAL)

CLASS ACTION

**DECLARATION OF JOHN C.
OCHOA IN SUPPORT OF
PLAINTIFF'S MOTION FOR
CLASS CERTIFICATION**

Judge: Hon. Andrew P. Gordon

Magistrate: Hon. Peggy A. Leen

1 I, JOHN C. OCHOA, hereby aver, pursuant to 28 U.S.C. § 1746, that I have personal
2 knowledge of all matters set forth herein unless otherwise indicated, and would testify thereto
3 if called as a witness in this matter.

4 1. I am an adult over the age of 18 and a resident of the State of Illinois. I am an
5 attorney representing the Plaintiff Flemming Kristensen in this matter and am admitted *Pro*
6 *Hac Vice* before this Court. I am fully competent to make this Declaration, and make such
7 Declaration in support of Plaintiff's Motion for Class Certification.

8 2. Attached to this Declaration as Exhibit A is a true and accurate copy of an
9 article entitled: SMS and Lead-Gen in a Lead Exchange, Eugen Ilie (July 21, 2008),
10 *available at URL* [http://www.leadpile.com/lead-exchange-blog/2008/07/21/sms-and-lead-](http://www.leadpile.com/lead-exchange-blog/2008/07/21/sms-and-lead-gen-in-a-lead-exchange/)
11 [gen-in-a-lead-exchange/](http://www.leadpile.com/lead-exchange-blog/2008/07/21/sms-and-lead-gen-in-a-lead-exchange/).

12 3. Attached to this Declaration as Group Exhibit B are true and accurate
13 screenshots of 10 websites I accessed on or about November 15, 2012. The documents
14 depict complaints about unsolicited text messages and telephone calls.

15 4. Attached to this Declaration as Exhibit C is a Declaration provided by a
16 principal of AC Referral Systems LLC. The Declaration contains an exhibit that was
17 designated "Confidential" by Net1Promotions LLC (d/b/a Click Media) pursuant to the
18 Court's January 11, 2013 Protective Order, and as such, is being filed under seal.

19 5. Attached to this Declaration as Exhibit D is a true and accurate copy of a
20 document produced by Click Media.

21 6. Attached to this Declaration as Exhibit E is a true and accurate copy of
22 Interrogatory Answers provided by Defendant Click Media in this litigation.

23 7. Attached to this Declaration as Exhibit F is a true and accurate copy of an
24 excerpt of a document produced by Defendant LeadPile in this action. An analysis of the full
25 list (which contains 266 pages and is bates-labeled LEAD-000020 – LEAD-000286) revealed
26 that Lender-Defendant Enova purchased 1,267 leads, Lender-Defendant Pioneer purchased
27
28

1,827 leads, and Lender-Defendant Credit Payment Services, Inc. purchased 9,181 leads via <http://thesmartcreditsolution/securelinkcorp.com>. It also shows that individuals with an “@leadpile” email address purchased 5,610 leads via <http://thesmartcreditsolution/securelinkcorp.com>. LeadPile designated these documents as “Confidential” pursuant to the Court’s January 11, 2013 Protective Order, and as such, are being filed under seal.

8. Attached to this Declaration as Exhibit G are true and accurate copies of contracts produced by Click Media in this litigation, bates labeled CM00001 – CM00006. Click Media designated these documents as “Confidential” pursuant to the Court’s January 11, 2013 protective order, and as such, are being filed under seal.

9. Attached to this Declaration as Exhibit H are documents produced by Click Media and bates labeled CM000151-CM000152 and CM000159-CM000161. Click Media designated these documents as “Confidential” pursuant to the Court’s January 11, 2013 protective order, and as such, are being filed under seal.

10. Attached to this Declaration as Group Exhibit I are two subpoenas Plaintiff issued on T-Mobile U.S.A., Inc. on September 6, 2012, and December 4, 2012, respectively. T-Mobile U.S.A., Inc. responded to these subpoenas and produced spreadsheets containing call detail records for cellular telephone numbers “330-564-6316,” “209-200-0084,” and “808-989-5389.”

11. Plaintiff has issued Requests for Production of Documents on all Defendants in this case. Plaintiff issued Requests for Production of Documents on Defendant Credit Payment Services, Inc. on October 15, 2012, on Defendant Enova International, Inc. on May 31, 2013, on Defendant Pioneer Financial Services, Inc., on May 31, 2013, on Defendant Pioneer Financial Services, Inc. on May 31, 2013, on Defendant Click Media on May 31, 2013, and on Defendant LeadPile on June 11, 2013. In response, no Defendant has produced any document showing that any proposed Class Member provided prior express consent to receive text messages of this type from any Defendant.

350 North LaSalle Street, Suite 1300

Chicago, Illinois 60654

Telephone: (312) 589-6370

Facsimile: (312) 589-6378

Attorneys for Plaintiff Flemming Kristensen

Exhibit A

BUYERS, MEET SELLERS. MEET PROFITS.

HOME ([HTTP://WWW.LEADPILE.COM/LEAD-EXCHANGE-BLOG/](http://www.leadpile.com/lead-exchange-blog/))

ABOUT LEADPILE ([HTTP://WWW.LEADPILE.COM/ABOUT/](http://www.leadpile.com/about/))

LEADPILE CPC ([HTTP://WWW.LEADPILE.COM/QUALIFIED-CLICKS/](http://www.leadpile.com/qualified-clicks/))

QUALIFIED LEADS ([HTTP://WWW.LEADPILE.COM/LEAD-MARKETPLACE/](http://www.leadpile.com/lead-marketplace/))

LEADPILE HOME ([HTTP://WWW.LEADPILE.COM/](http://www.leadpile.com/))

SMS and Lead-gen in a Lead Exchange

Posted on **JULY 21, 2008**

([HTTP://WWW.LEADPILE.COM/LEAD-EXCHANGE-BLOG/2008/07/21/SMS-AND-LEAD-GEN-IN-A-LEAD-EXCHANGE/](http://www.leadpile.com/lead-exchange-blog/2008/07/21/sms-and-lead-gen-in-a-lead-exchange/)) *by* **EUGEN ILIE**
([HTTP://WWW.LEADPILE.COM/LEAD-EXCHANGE-BLOG/AUTHOR/EUGEN/](http://www.leadpile.com/lead-exchange-blog/author/eugen/))

Thank you for visiting our Lead Exchange Blog! I hope you will find it useful. Good luck!



The Text Messages (SMS) have been always an interesting and productive way to generate leads or more business, including Branding awareness.

BUY LEADS/ADVERTISER

Buy Leads Now
(https://www.leadpile.com/cgi-bin/manage_leads/buyers/signup.pl)

Lead Buyer (Advertiser)
(<http://www.leadpile.com/lead-marketplace/lead-buyers/>)

SELL LEADS / PUBLISHER

Lead Seller (Publisher)
(<http://www.leadpile.com/lead-marketplace/lead-sellers/>)

Sell Leads Now
(https://www.leadpile.com/cgi-bin/manage_leads/sellers/signup.pl)

We knew about it, test it with our Offers, and our

Publishers are doing it as well, but we never seen such results as we are seeing in the last month. The MicroClick Ads and the Microsites are some of the favorites when it comes to our Publishers using text messaging to promote the offers.

Just to have an idea of the efficiency, please check out the following numbers:

Impressions	Clicks	CTR	Leads	CVR	EPM
6418	4679	72.90%	2596	55.48%	\$1,437.57

The number of Impressions represent the number of people reaching the website from a text message. Out of everyone that have seen the site, almost 73% clicked on the form and 55% of them completed it – reached the confirmation page.

The EPM isn't too bad either, with \$1,437.57 for one thousand of impressions. The highest we've seen ranges between \$2,500 and \$3,200, but that's more from targeted traffic, new customer base (PPC traffic).

The rule of success is to be creative and test new ways to build your customer base, offering quality and good service to consumers. Nothing is "Impossible" and things can be done in a very effective way without losing quality.



This entry was posted in **Lead Exchange**

(<http://www.leadpile.com/lead-exchange-blog/category/lead-exchange/>) and tagged -gen (<http://www.leadpile.com/lead-exchange-blog/tag/gen/>), epm (<http://www.leadpile.com/lead-exchange-blog/tag/epm/>), exchange (<http://www.leadpile.com/lead-exchange-blog/tag/exchange/>), Lead Exchange (<http://www.leadpile.com/lead-exchange-blog/tag/lead-exchange/>), Lead Marketplace (<http://www.leadpile.com/lead-exchange-blog/tag/lead-marketplace/>), microclick (<http://www.leadpile.com/lead-exchange-blog/tag/microclick/>), microsites (<http://www.leadpile.com/lead-exchange-blog/tag/microsites/>), ppc (<http://www.leadpile.com/lead-exchange-blog/tag/ppc/>), publishers (<http://www.leadpile.com/lead-exchange-blog/tag/publishers/>), sms marketing (<http://www.leadpile.com/lead-exchange-blog/tag/sms-marketing/>),

Recent Posts

How Communication Technologies May Be Affecting Your Productivity
(<http://www.leadpile.com/lead-exchange-blog/2013/10/22/how-communication-technologies-may-be-affecting-your-productivity/>)

Cloud Computing, You're Probably Using It Already
(<http://www.leadpile.com/lead-exchange-blog/2013/10/11/cloud-computing-youre-probably-using-it-already/>)

The time is here for the OLA Fall Conference!
(<http://www.leadpile.com/lead-exchange-blog/2013/10/07/the-time-is-here-for-the-ola-fall-conference/>)

5 Helpful Tips for Reducing Stress
(<http://www.leadpile.com/lead-exchange-blog/2013/09/23/5-helpful-tips-for-reducing-stress/>)

Perspectives on Change
(<http://www.leadpile.com/lead-exchange-blog/2013/09/19/perspectives-on-change/>)

Internet Advertising-Are You on Board?
(<http://www.leadpile.com/lead-exchange-blog/2013/09/10/internet-advertising-are-you-on-board/>)

Car Title Loans On The

text messages (<http://www.leadpile.com/lead-exchange-blog/tag/text-messages/>), text messaging (<http://www.leadpile.com/lead-exchange-blog/tag/text-messaging/>). Bookmark the **permalink** (<http://www.leadpile.com/lead-exchange-blog/2008/07/21/sms-and-lead-gen-in-a-lead-exchange/>).

← **PREVIOUS** ([HTTP://WWW.LEADPILE.COM/LEAD-EXCHANGE-BLOG/2008/07/21/WEBSITE-20K-IN-DEBT-SUCCESS/](http://www.leadpile.com/lead-exchange-blog/2008/07/21/website-20k-in-debt-success/))

NEXT → ([HTTP://WWW.LEADPILE.COM/LEAD-EXCHANGE-BLOG/2008/07/22/I-CANT-DRIVE-55-NO-REALLY/](http://www.leadpile.com/lead-exchange-blog/2008/07/22/i-cant-drive-55-no-really/))

Leave a Reply

Your email address will not be published. Required fields are marked *

Name *

Email *

Website

Comment

POST COMMENT

Get Social With LeadPile At LeadsCon East & Affiliate Summit East (<http://www.leadpile.com/lead-exchange-blog/2013/08/06/get-social-with-leadpile-at-leadscon-east-affiliate-summit-east/>)

LeadPile's Commitment to Consumer Protection & Compliance (<http://www.leadpile.com/lead-exchange-blog/2013/08/02/leadpiles-commitment-to-consumer-protection-compliance/>)

House Rules (<http://www.leadpile.com/lead-exchange-blog/2013/07/26/house-rules/>)

Putting Your Best Foot Forward at Tradeshows (<http://www.leadpile.com/lead-exchange-blog/2013/07/22/putting-your-best-foot-forward-at-tradeshows/>)

Top 4 Tips To Increase Online Lead Sales (<http://www.leadpile.com/lead-exchange-blog/2013/07/15/top-4-tips-to-increase-online-lead-sales%E2%80%A8/>)

LeadPile Sponsors StreetLightUSA® at the Elevate Music Festival (<http://www.leadpile.com/lead-exchange->

blog/2013/07/09/leadpile-sponsors-streetlightusa-at-the-elevate-music-festival/)

Offline Marketing Still Matters
(<http://www.leadpile.com/lead-exchange-blog/2013/07/01/offline-marketing-still-matters/>)

The Meaning of New CFPB Regulations And Their Impact On the Auto Industry
(<http://www.leadpile.com/lead-exchange-blog/2013/06/24/the-meaning-of-new-cfpb-regulations-and-their-impact-on-the-auto-industry/>)

Pages

About LeadPile
(<http://www.leadpile.com/about/>)

LeadPile CPC
(<http://www.leadpile.com/qualified-clicks/>)

LeadPile Home
(<http://www.leadpile.com/>)

Qualified Leads
(<http://www.leadpile.com/lead-marketplace/>)

Exhibit B

11/15/12

207-216-5082 / 2072165082 1/2

800notes[sign in](#) | [register](#)**207-216-5082**

Did you get a call from 207-216-5082? Read the posts below to find out details about this number. Also [report unwanted calls](#) to help identify who is using this phone number.

207-216-5082
Country: USA
Location: Maine (Portland)

[Homepage](#)[Forum](#)[News](#)[Articles](#)[Videos](#)**Irritated at unwanted text msgs**

8 Feb 2011

☐ 0 ☐

the number above and several other numbers are being used in text message marketing. the firm shown indicates a website www.lend5k.com.

you can sue collectors

and win \$1000.00 for abuse call now for free legal help.

stoncolllector.com

AdChoices

☐ 0 ☐[Reply](#)☐**dwebb replies to Irritated at unwanted text msgs**

9 Nov 2011

☐ 0 ☐

need money

☐ 0 ☐[Reply](#)☐**Jarvis James Jr replies to dwebb**

28 Mar 2012

☐ 0 ☐

I would like to get the \$5000 loan to pay off all my payday loans and other bills. I would like to pay on just one bill.

☐ 0 ☐[Reply](#)☐**richard gulley replies to Jarvis James Jr**

27 Mar 2012

☐ 0 ☐

i have several small loans and would like to make one payment

☐ 0 ☐[Reply](#)☐**Jarvis James Jr replies to Jarvis James Jr**

9 Nov 2012

☐ 0 ☐

I am having trouble try to finishing my application. I can't get to the pager i need. Please help me.

☐ 0 ☐[Reply](#)☐**George**

18 Feb 2011

☐ 0 ☐

We want to thank you. Call us at 877-830-6723 For your 100 dollar gift card

☐ 0 ☐[Reply](#)☐**B I**

17 Feb 2011

☐ 0 ☐

We want to thank you. Call us at 877-830-6723 For your 100 dollar gift card

Caller: 207-216-5082

☐ 0 ☐[Reply](#)☐**Madl**

17 Feb 2011

☐ 0 ☐**PHONE NUMBER SEARCH**

Type a phone number, for example: 777-777-7777

LATEST FORUM THREADS

- Pacific Telecom Communications Group
- Scam e-mail from your pastor
- There is no such thing as "FREE" anything
- Papa John's Allegedly Sent 500,000 Illegal Text Messages To Customers
- SCAM: Junk text claims you've won \$1000 Best Buy gift card

[more](#)**LATEST NEWS**

- FTC Hangs Up On "Rachel From Cardholder Services"
- Multinational Crackdown on Computer Con Artists
- Whataburger Suing Debt Collection Company For Harassing Its Employee At Work
- Fraud Charges Filed Against Alleged Scammer Seen on 'Nightline' in June
- Taxpayers Fund \$454,000 Pay for Collector Chasing Student Loans

LATEST ARTICLES

- Frequently Asked Questions About 800notes
- 16 Ways You Can be Phone Scammed
- 9 Things To Do When Your Identity Stolen
- Harassing calls from a debt collector? Here is what you need to know
- Harassing Phone Calls: What To Do

11/15/12

207-216-5082 / 2072165082 1/2

"We Want to Thank You Call us at 877-830-6722 For your 100 Dollar Gift Card Gift ID 340"

AdChoice

Reverse Cell Phone Lookup

Looking To Find Out Who Just Called You? Get An Answer Online Now!

www.justelectronic.com

AdChoices

Reply



Also mad!!!

21 Apr 2011

0



Thank you for visiting us. Call to receive your \$100 gift card.

Reply



Also mad!!!

21 Apr 2011

0



Thank you for visiting us. Call to receive your \$100 gift card.

Reply



kel

25 Jun 2011

0



I get one from 1-208-284-2934 for lend5k.com

Caller: lend5k.com

Reply



April

4 Jul 2011

0



I get calls from these people all the time. Just got one this morning. Once they called at 5:00am on a Saturday and woke me up! I want them stopped, please!

Caller: www.lend5k.com

Reply



MANDA

23 Aug 2011

0



mine said "get up to 5000 today easy quick and all online at www.lend5k.com 24 month repayment all cred ok txt stop to quit" but it was from # 1-401-662-0049

Caller: www.lend5k.com

Reply



ROBIN ARMSTRONG

4 Nov 2011

0



I DO NOT HAVE A CHECKING SAVING ACCOUNTING

Reply



Gloria Chambers

28 Nov 2011

0



I got a text the other day and it was from 3039534688. Do you Need up to \$5000 Today? Easy Quick and All Online at: www.lend5k.com 24 Month Repay, All Cred. Ok Reply Stop 2 End.

Caller: 3039534688

Reply



Gloria

28 Nov 2011

0



I meant to ad on my last comment. These people are crooks. They just want to get money from you or your information. I replied Stop 2 End. I mean, REALLY PEOPLE. GET A LIFE!!!



LATEST VIDEOS

- I'm an Indian too! - Telemarketer Prank Call #12
- Game Show Loser - Telemarketer Prank Call #11
- Save The Telemarketers! - Telemarketer Prank Call #10
- Paranoid Plymouth - Telemarketer Prank Call #09
- Gambling Help Line - Telemarketer Prank Call #08




11/15/12

207-216-5082 / 2072165082 1/2

Caller: 3039534688



Reply **Caveman**
3 Dec 2011 0 

I received a text from the same people and after reading everyones comments I just replied stop and ignored it. I don't need to be robbed. these people prey on people with financial trouble and probably put them in deeper trouble.

Reply **Jazygazy**
8 Dec 2011 0 


got a text today from 251/229-6791.. "do you need up to \$5000.00 easy and quick all online www.lend5k.com 24 month". Judging from the comments, it looks like they use the area code targeting that particular area leading people to believe their company is locally based! I live in the 251 area code and firmly believe that once you give them your checking account info, they would dip into it! My friend applied online to several cash advance companies and did not borrow money from them but they were deducting anywhere from \$0.01 to \$2.00 as a "processing/handling fee". She ended up having to close her checking account and opened a new one! All I can say is people should think twice before putting their bank info online..

Caller: [lend5k](http://www.lend5k.com)
Call Type: Telemarketer


Reply **Cathy**
31 Dec 2011 0 

received a text from telephone number 209 200 0084 with the same message about borrowing 5000 all on line itexed stop back tio them thanks for the above info

Caller: www.lend5k.com

Reply **dratophis**
2 Jan 2012 0 

i got a text from www.lend5k.com the number is 209 200 0084 easy quick and all online.the same mess that cathy got just a few days ago.

Reply 

1 2



Report a phone call from 207-216-5082:

Your Name *

Your name or nickname as you would like it to appear in the title of your post.

Message *

Caller Company

The company that called you.

Call Type

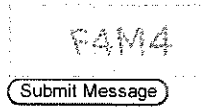
Unknown 

Validation Code *

Type the characters you see in the picture (login to remove the validation code requirement).

11/15/12

207-216-5082 / 2072165082 1/2



Thank you for your contribution! Please watch your language and post only truthful information.

Other phone numbers in the 207 area code

Copyright 800notes.com 2009 | [Contact Us](#) | [Privacy Policy](#) | [Terms of Service](#) | [Legal Stuff](#) | [Area Codes](#)

11/15/12

316-281-5791 / 3162815791

800notes[sign in](#) | [register](#)**316-281-5791**

Did you get a call from 316-281-5791? Read the posts below to find out details about this number. Also [report unwanted calls](#) to help identify who is using this phone number.

316-281-5791
Country: USA
Location: Kansas (Wichita)



somebody
11 Oct 2011

got text from this number,
"Do You Need up to \$5000 Today
Easy Quick and All Online at www.lend5k.com"

Reverse Cell Phone Lookup

Looking To Find Out Who Just Called You? Get An Answer Online Now!

www.justelectronics.com

AdChoices

Reply



carolyn
24 Oct 2011

do you need 5000 today www.lend5k.com 15154416783 phone number

Caller: www.lend5k.com
Call Type: SMS

Reply

new way to sue collectors

largest FDCPA practice in USA free lawyer & \$1000 for abuse.

stopcollector.com

AdChoices

Report a phone call from 316-281-5791:

Your Name *

Your name or nickname as you would like it to appear in the title of your post.

Message *

Caller Company

The company that called you.

Call Type

Unknown

Validation Code *



Type the characters you see in the picture (login to remove the validation code requirement).

Submit Message

Thank you for your contribution! Please watch your language and post only truthful information.

Other phone numbers in the [316 area code](#)

[Homepage](#)

[Forum](#)

[News](#)

[Articles](#)

[Videos](#)

PHONE NUMBER SEARCH

Search

Type a phone number, for example: 777-777-7777

LATEST FORUM THREADS

- Pacific Telecom Communications Group
- Scam e-mail from your pastor
- There is no such thing as "FREE" anything
- Papa John's Allegedly Sent 500,000 Illegal Text Messages To Customers
- SCAM: Junk text claims you've won \$1000 Best Buy gift card

[more](#)

LATEST NEWS

- FTC Hangs Up On "Rachel From Cardholder Services"
- Multinational Crackdown on Computer Con Artists
- Whataburger Suing Debt Collection Company For Harassing Its Employee At Work
- Fraud Charges Filed Against Alleged Scammer Seen on 'Nightline' in June
- Taxpayers Fund \$454,000 Pay for Collector Chasing Student Loans

LATEST ARTICLES

- Frequently Asked Questions About 800notes
- 16 Ways You Can be Phone Scammed
- 9 Things To Do When Your Identity Stolen
- Harassing calls from a debt collector? Here is what you need to know
- Harassing Phone Calls: What To Do

11/15/12

316-281-5791 / 3162815791



LATEST VIDEOS

- I'm an Indian too! - Telemarketer Prank Call #12
- Game Show Loser - Telemarketer Prank Call #11
- Save The Telemarketers! - Telemarketer Prank Call #10
- Paranoid Plymouth - Telemarketer Prank Call #09
- Gambling Help Line - Telemarketer Prank Call #08

Copyright [800notes.com](#) 2009 | [Contact Us](#) | [Privacy Policy](#) | [Terms of Service](#) | [Legal Stuff](#) | [Area Codes](#)

11/15/12

Texts from 15157717539 Page 1 of 1



WATCH DOG

Did you receive an Unsolicited text message from an Unknown sender on your mobile phone? Use the free SMSWatchdog Text Message lookup service to learn who is behind the messages.

Enter the short code or phone number of the offending text message to find out more about the sender.

5-6 digit SMS code or phone number

VA Home Loan For Veterans

PreApply in 2 Minutes. \$0 Down. No Obligation Quote. BBB A+ Rated!
www.VAMortgageCenter.com

SBA Small Business Loan

Choose from the best SBA loan and fuel your American dream!
www.lendio.com/sba-loans

Introducing Nexus 7

The 7" tablet that brings you the best of Google. Buy now
play.google.com

AdChoices

\$100-\$1000 Cash Advance

Get Your Cash Advance Wired Today! (Recommended Site)
www.CashAdvance.com

AdChoices

1

15157717539 or 1-515-771-7539

Did you get a text message from 15157717539? Report your experience now and help identify who is sending text messages from this number.

User opt out reports for 15157717539

Reply STOP success ★★★★★



Matt Albrecht

2011-08-09 13:25:53

Text Message ID: 15157717539 / 1-515-771-7539
 Company : www.lend5k.com
 Optout success: Yes

"Do You Need 5000 Dollars for Anything

Quick Easy Online Approval at
www.lend5k.com

AI Cred. OK
 Easy Repayment

Txt stop for Removal"

Texted stop and haven't heard anything since.

Reply



Duan Forsythe

2012-02-23 15:48:31

Text Message ID: 15157717539 / 1-515-771-7539
 Company : D & K Contractors
 Optout success: No

I received texted from this phone #er about getting a 5000.00 loan and a pay back period of 24 months

Reply

1

Report a SMS text message from 15157717539

Your Name or Nickname

Text Message ID (if you know)

Company Name (if you know)

Did Reply STOP Work

☐ Yes

☐ No

☐ Did not try

Please use appropriate language and submit only truthful information. No HTML allowed.
 Thank you for your contribution!

11/15/12

Texts from 15157717539 Page 1 of 1

New Car Clearance

SELECT MAKE

Zip Code

Click your state:

AL	AK	AZ	AR	CA
CO	CT	DE	FL	GA
HI	ID	IL	IN	IA
KS	KY	LA	ME	MD
MA	MI	MN	MS	MO
MT	NE	NV	NH	NJ
NM	NY	NC	ND	OH
OK	OR	PA	RI	SC
SD	TN	TX	UT	VT
VA	WA	WV	WI	WY

IMotors.com

UR7VH Enter Code
Refresh image

Submit

[View other senders with 515 area code](#)

List of all documentented Text Message Programs

77818 Text Message Program Details

Name: Barnes & Noble Text Alerts

Description: Barnes & Noble promotional text alerts on books and other merchandise sold in store or online.

Phone: 1-800-647-0643

Rate: Standard

767825 Text Message Program Details

Name: Subport Alerts

Description: Subport Alerts find emerging art and design that loves you.

Phone: 1-800-790-6597

Rate: Standard

76477 Text Message Program Details

Name: SNIPP

Description: "Users query any topic or question (an ad, a product, an event, a location) by texting any keyword to the shortcode. They will recieve information abo

Phone: 1-888-997-6477

Rate: Standard

76299 Text Message Program Details

Name: US BANK ATM

Description: US BANK ATM locator text alert

Phone: 1-800-872-2657

Rate: Standard

11/15/12

Texts from 15157717539 Page 1 of 1

762775 Text Message Program Details**Name:** Snapple**Description:** Snapple text alerts and various programs.**Phone:** 1-866-447-2745**Rate:** Standard76051 Text Message Program Details**Name:** AEG Event Alerts**Description:** Text alerts from AEG for concerts and other events**Phone:****Rate:** Standard75667 Text Message Program Details**Name:** Skoop! Deals Alerts**Description:** Skoop! Deals Alerts for current promotions and directory info.**Phone:****Rate:** Standard752966 Text Message Program Details**Name:** Movie Gallery**Description:** Movie Gallery is a Standard Rate double opt-in SMS Service with opportunities for Contest Entries and Alerts focused on movie rentals.**Phone:** 1-800-827-1095**Rate:** Standard74928 Text Message Program Details**Name:** Evite J2ME App**Description:** Users opt in to send or receive sms invitations**Phone:****Rate:** Standard74742 Text Message Program Details**Name:** Seminole Gaming Votes**Description:** Seminole Gaming voting for either \$0.99 or \$1.99 per vote.**Phone:** 1-888-236-1550**Rate:** Premium746762 Text Message Program Details**Name:** New Balance Alerts**Description:** New Balance text alerts.**Phone:** 1-866-492-7886**Rate:** Standard74657 Text Message Program Details**Name:** Zipcar Text Alerts**Description:** Zipcar members can receive text alerts about their reservation.**Phone:** 1-866-404-7227**Rate:** Standard74444 Text Message Program Details**Name:** Quest Mobile Dating Alerts**Description:** Quest mobile dating text alerts and 20 minutes of bonus talk time for \$9.99.**Phone:** 1-866-914-3556**Rate:** Premium74332 Text Message Program Details**Name:** Popular Texting Entertainment Alerts Subscription**Description:** "Popular Texting music, entertainment and music news text alerts subscription for \$9.99/mo."**Phone:** 1-888-531-4817**Rate:** Premium74034 Text Message Program Details**Name:** New Edge Gaming Alerts Subscription**Description:** New Edge Gaming text alerts subscription for \$6.99/mo.**Phone:** 1-888-307-4885**Rate:** Premium

11/15/12

Texts from 15157717539 Page 1 of 1

74000 Text Message Program Details**Name:** Unlimited Party Chat**Description:** Unlimited Party Chat from www.sms1.com.

Group chatroom monthly text subscription.

Phone: 1-866-358-7327**Rate:** Premium73859 Text Message Program Details**Name:** Chatterbox (Group Chat)**Description:** Users opt in to send and receive chat and alerts**Phone:****Rate:** Standard73776 Text Message Program Details**Name:** ESPN Radio**Description:** "The R-ESPN (73776) short code will be used by the ESPN Network Stations to allow their listeners to interact. Listeners can sign up for sports and st**Phone:****Rate:** Standard73588 Text Message Program Details**Name:** Unlimited Plan Alerts Subscription**Description:** "Unlimited Plan quotes, lyrics, and jokes text alerts subscription for \$9.99/mo."**Phone:** 1-888-427-7567**Rate:** Premium73537 Text Message Program Details**Name:** MasterCard inControl Spend Control and Alerts**Description:** This project will provide issuers and their cardholders the ability to establish spend-control rules for their physical credit cards to be applied dur**Phone:** 1-800-622-7747**Rate:** StandardList of all documented Text Message Programs© SMSWatchDog.com All rights reserved. [Terms](#) | [Privacy](#) | [Legal Stuff](#) | [Contact Us](#) | [Home](#)

11/15/12

209-200-0084 - Who called me?

CallerReview.com

Type phone numbers here

Search

209-200-0084

Reverse Lookup-Look Free

1) Enter Any Phone & Search Free! 2) See ID Details - No Hit, No Fee.

www.Intellius.com/ReverseLookup

SBA Small Business Loan

Choose from the best SBA loan and fuel your American dream!

www.lendio.com/sba-loans

Chapter 7 Means Test

Determine If Chapter 7 Is An Option For You, Complete A Free Evaluation

www.Chapter7.com

Online Nursing Programs

Achieve A Higher Level Of Success! Enroll With

Walden University Today

Waldenu.edu/Nursing-Degrees

AdChoices

Who called me? Phone call from 209-200-0084

4 comments about the phone call from 209-200-0084.

Tel No.	Name	Date	Comment
209-200-0084	Ofelia Bernardo	Jan 05 2012	received text message twice. Do you need up to \$5000 today?Easy Quick and all online at: www.lend5k.com .
209-200-0084	t0-gr0wn-4-mY-0wN	Jan 05 2012	This is whats wrong with our country now,why we're in so much debt! Alot of people doesn't need loans to "survive",they need to learn what a budget is,managment,and more work! The only things you should need a loan for unless youre rich and have enough cash money,are college,buying a house,property,and,or a car and thats it! Even a wedding isn't worth having any kinda debt for!! lol
209-200-0084	Ofelia Bernardo	Jan 05 2012	received text message twice. Do you need up to \$5000 today?Easy Quick and all online at: www.lend5k.com .
209-200-0084	t0-gr0wn-4-mY-0wN	Jan 05 2012	This is whats wrong with our country now,why we're in so much debt! Alot of people doesn't need loans to "survive",they need to learn what a budget is,managment,and more work! The only things you should need a loan for unless youre rich and have enough cash money,are college,buying a house,property,and,or a car and thats it! Even a wedding isn't worth having any kinda debt for!! lol

Find Who Owns This Number

1) Enter Any Phone Number Free 2) Get Full Owner Info - Try Now!

FreePhoneTracer.com

AdChoices

Other reported phone numbers starting with 209

[209-000-0000](#) [209-003-4587](#) [209-005-8623](#) [209-009-0583](#) [209-009-5007](#) [209-029-1744](#)
[20903217](#) [209032317](#) [209-042-5509](#) [20907](#) [20909100](#) [209-091-0000](#)
[20909180477](#) [209092319](#) [209-099-2384](#) [209-109-3941](#) [209-111-3073](#) [209-112-2345](#)
[209-134-5678](#) [209-145-2899](#) [209-146-3547](#) [209149100](#) [209-152-4544](#) [20915700176](#)
[20915700177](#) [20915700178](#) [20915700184](#) [20915700274](#) [20915700276](#) [20915700277](#)
[20915701111](#) [20915704707](#) [20915704719](#) [20915704720](#) [20915704721](#) [20915704722](#)
[20915704770](#) [20915704774](#) [20915704777](#) [20915704782](#) [20915704784](#) [209-160-2431](#)
[209-165-6145](#) [209-169-5347](#) [209182344](#) [209-191-5879](#) [209-192-1652](#) [209-200-0084](#)

11/15/12

209-200-0084 - Who called me?

[209-200-0158](#) [209-200-0185](#) [209-200-0266](#) [209-200-0484](#) [209-200-0660](#) [209-200-0830](#)
[209-200-0854](#) [209-200-0862](#) [209-200-2173](#) [209-200-2175](#) [209-200-2957](#) [209-200-3073](#)
[209-200-3194](#) [209-200-3197](#) [209-200-3251](#) [209-200-3442](#) [209-200-3959](#) [209-200-3967](#)
[209-200-3980](#) [209-200-4669](#) [209-200-6510](#) [209-200-8161](#) [209-200-9936](#) [209-201-0057](#)
[209-201-1323](#) [209-201-3465](#) [209-201-3614](#) [209-201-6155](#) [209-201-7244](#) [209-201-7265](#)
[209-201-8344](#) [209-201-8707](#) [209-201-9256](#) [209-202-0370](#) [209-202-3847](#) [209-202-4649](#)
[209-202-4910](#) [209-202-5502](#) [209-202-5858](#) [209-202-9151](#) [209-203-6429](#) [209-204-0080](#)
[209204265](#) [209-204-3992](#) [209-204-5018](#) [209-204-5561](#) [209-204-6177](#) [209-204-6943](#)

Tags: 209-200-0084, Who called me?, Tel No.

The phone call information page for 209-200-0084 generated in 0.0173 seconds.

Caller Review - Who called me?

Tags: Where is the number calling from? What number is 209-200-0084?, missed call from 209-200-0084

Telephone Number 209-200-0084 Whose number is 209-200-0084?

11/15/12

330-983-3112 / 3309833112

800notes[sign in](#) | [register](#)**330-983-3112**

Did you get a call from 330-983-3112? Read the posts below to find out details about this number. Also [report unwanted calls](#) to help identify who is using this phone number.

330-983-3112
Country: USA
Location: Ohio (Akron, Canton, Youngstown)



Jeff In MD
23 Dec 2010

☐ 0 ☐

Unsolicited text message for some BS nonsense about loans. Refs the website www.loan5k.com

I will be reporting this to the FCC complaint website as soon as this post is complete and I urge anyone else who gets these silly messages or actual calls to do the same.

The Do Not Call list clearly doesn't work, but by complaining to the FCC there is an actual record of your complaint and if they get enough of them, something may eventually be done about these intrusions.

Click link below for the FCC government site:
<https://esupport.fcc.gov/ccmsforms/form1088.action>

Other 800notes listing from this bogus "company"
<http://800notes.com/Phone.aspx/1-330-798-2826>
<http://800notes.com/Phone.aspx/1-317-652-7686>
<http://800notes.com/Phone.aspx/1-727-488-0767> (refs thesmartcreditsolution.com site)

Visiting their website says they are part of Alpine Select Lenders Network and reroutes you to a different site www.thesmartcreditsolution.com

Scam Scam SCAM !!
Caller: www.thesmartcreditsolution.com

Emergency Personal Loans

\$100 To \$1000 In 48 Hours Bad Credit OK. 60 Second Approvals

www.eLoanPersonal.com

AdChoices

☐ Reply ☐



Illmomma19787 replies to [Jeff In MD](#)
23 Aug 2011

☐ 0 ☐

someone from www.alpine5k.com sent me a text message.

☐ Reply ☐



Deloise Flowers replies to [Jeff In MD](#)
5 Jan 2012

☐ 0 ☐

i was sent a message that i could get a loan

☐ Reply ☐



Robert Stief
1 Jan 2011

☐ 0 ☐

Received a message from 1-216-856-2860 even though I am on the do not call list.

Message as follows: **You can get up to 5000 for any use today.**

Go to WWW.LEND5K.COM

All credit OK. fFlexible Repayment.

Isn't there supposed to be a fine for these spam calls or texts?

Robert Stief 717-808-8657
Caller: *Alpine Select lenders Network*
Call Type: *Telemarketer*

☐ Reply ☐

re
18 Jun 2011

☐ 0 ☐

[Homepage](#)[Forum](#)[News](#)[Articles](#)[Videos](#)

PHONE NUMBER SEARCH

Type a phone number, for example: 777-777-7777

LATEST FORUM THREADS

- Pacific Telecom Communications Group
- Scam e-mail from your pastor
- There is no such thing as "FREE" anything
- Papa John's Allegedly Sent 500,000 Illegal Text Messages To Customers
- SCAM: Junk text claims you've won \$1000 Best Buy gift card

[more](#)**LATEST NEWS**

- FTC Hangs Up On "Rachel From Cardholder Services"
- Multinational Crackdown on Computer Con Artists
- Whataburger Suing Debt Collection Company For Harassing its Employee At Work
- Fraud Charges Filed Against Alleged Scammer Seen on 'Nightline' in June
- Taxpayers Fund \$454,000 Pay for Collector Chasing Student Loans

LATEST ARTICLES

- Frequently Asked Questions About 800notes
- 16 Ways You Can be Phone Scammed
- 9 Things To Do When Your Identity Stolen
- Harassing calls from a debt collector? Here is what you need to know
- Harassing Phone Calls: What To Do

11/15/12

330-983-3112 / 3309833112



I receive this BS and I'M mad as hell about it!!!!!!

Reply



Bob

15 Aug 2011

Received a text msg from these A__H__
Alpine Select Lenders Network - www.alpine5K.com

Cost me \$\$ to receive this crap.
How do you stop BS text msg.

Caller: Alpine Select Lenders Network
Call Type: SMS

VA Home Loan For Veterans

PreApply in 2 Minutes. \$0 Down. No Obligation Quote. BBB A+ Rated!

www.VAMortgageCenter.com

AdChoices

Reply



Mad Consumer

24 Aug 2011

It cost money to receive these text messages, and I am mad as h—. There should be a law against this kind of activity. How do we report them and get some answers and results. I'm sick of being victimized.

Caller: www.alpine5k.com

Reply



Cc

2 Sep 2011

They sent me a text message about a 5,000.00 pay day loan

Caller: alpine5kloan.com

Reply



sickofthescams replies to Cc

21 Feb 2012

leave it be, dont answer these texts as they are full of b.s.. they prey on people that have fallen on hard times.

Reply



willpoblll

8 Sep 2011

have gotten over 500 in the last week from all around the place. Dont answer these calls, or give them any info. I had to change my bank accounts and credit cards per chase bank! Please dont get caught in this mess.

Caller: every loan co. you can thank of.

Reply



sickofthescams

21 Feb 2012

dont answer the texts! reply stop! and let them be! they are preying on people that have fallen on hard times!

Caller: lend5k.com

Reply



shannon

12 Apr 2012

tinyprints

SEND WARM WISHES

Create Stylish Holiday Cards & Invites

[SHOP NOW](#)



LATEST VIDEOS

- I'm an Indian too! - Telemarketer Prank Call #12
- Game Show Loser - Telemarketer Prank Call #11
- Save The Telemarketers! - Telemarketer Prank Call #10
- Paranoid Plymouth - Telemarketer Prank Call #09
- Gambling Help Line - Telemarketer Prank Call #08

11/15/12

330-983-3112 / 3309833112

that they will give me a loan for 5000 from www.alpine5k.com

Caller: 14135120462

Call Type: SMS

Reply

!

**Travis**

12 Apr 2012

☐

0

☐5k loan 24 months to repay. Go to www.Alpine5k.com.

Caller: Alpine Lending

Reply

!

**5kscam replies to Travis**

16 Apr 2012

☐

0

☐

The scam is very simple if you fell in their trap they asked you your private info after that they tell you to go to any wester union and after they gave you a confirmation BS. They ask you to wire them \$\$\$ for processing fee lol lol I gave them all invented info and they are going to get a bs wire transfer of 000 \$ just play with them and they will get you out of their list. There 1000 of this kind of crap in the web

Reply

!

**ron**

20 Apr 2012

☐

0

☐

SAME HERE THEY TEXT ME AND OFFER A 5K LOAN WITH UP TO 24 M TO PAY BACK TOLLAL BS

Caller: WWW.LEND5K.COM

Reply

!

how to sue collectors and

recover \$1000.00 plus Free Legal Help

stopcollector.com

AdChoices

Report a phone call from 330-983-3112:

Your Name *

Your name or nickname as you would like it to appear in the title of your post

Message *

Caller Company

The company that called you

Call Type

Unknown

Validation Code *



Type the characters you see in the picture (login to remove the validation code requirement).

Submit Message

Thank you for your contribution! Please watch your language and post only truthful information.

Other phone numbers in the [330 area code](#)Copyright 800notes.com 2009 | [Contact Us](#) | [Privacy Policy](#) | [Terms of Service](#) | [Legal Stuff](#) | [Area Codes](#)

11/15/12

808-989-5389 / 8089895389

800notes[sign in](#) | [register](#)**808-989-5389**

Did you get a call from 808-989-5389? Read the posts below to find out details about this number. Also [report unwanted calls](#) to help identify who is using this phone number.

808-989-5389
Country: USA
Location: Hawaii (Honolulu)

**Cornelius Ryan**

7 Jan 2012

I received a text message about a loan for up to \$5000. And I was told to visit on line at www.lend5k.com
Caller: www.lend5k.com

Reply 0

**Report a phone call from 808-989-5389:**

Your Name *

Your name or nickname as you would like it to appear in the title of your post

Message *

Caller Company

The company that called you.

Call Type

Unknown

Validation Code *

E4E6

Type the characters you see in the picture (login to remove the validation code requirement).

Submit Message

Thank you for your contribution! Please watch your language and post only truthful information.

Other phone numbers in the [808 area code](#)[Homepage](#)[Forum](#)[News](#)[Articles](#)[Videos](#)

PHONE NUMBER SEARCH

Search

Type a phone number, for example: 777-777-7777

LATEST FORUM THREADS

- Pacific Telecom Communications Group
- Scam e-mail from your pastor
- There is no such thing as "FREE" anything
- Papa John's Allegedly Sent 500,000 Illegal Text Messages To Customers
- SCAM: Junk text claims you've won \$1000 Best Buy gift card

[more](#)**LATEST NEWS**

- FTC Hangs Up On "Rachel From Cardholder Services"
- Multinational Crackdown on Computer Con Artists
- Whataburger Suing Debt Collection Company For Harassing Its Employee At Work
- Fraud Charges Filed Against Alleged Scammer Seen on 'Nightline' in June
- Taxpayers Fund \$454,000 Pay for Collector Chasing Student Loans

LATEST ARTICLES

- Frequently Asked Questions About 800notes
- 16 Ways You Can be Phone Scammed
- 9 Things To Do When Your Identity Stolen
- Harassing calls from a debt collector? Here is what you need to know
- Harassing Phone Calls: What To Do

11/15/12

808-989-5389 / 8089895389



LATEST VIDEOS

- I'm an Indian too! - Telemarketer Prank Call #12
- Game Show Loser - Telemarketer Prank Call #11
- Save The Telemarketers! - Telemarketer Prank Call #10
- Paranoid Plymouth - Telemarketer Prank Call #09
- Gambling Help Line - Telemarketer Prank Call #08

Copyright 800notes.com 2009 | [Contact Us](#) | [Privacy Policy](#) | [Terms of Service](#) | [Legal Stuff](#) | [Area Codes](#)

11/15/12

Texts from 2162353884 Page 1 of 1



WATCH DOG

Did you receive an Unsolicited text message from an Unknown sender on your mobile phone? Use the free SMSWatchdog Text Message lookup service to learn who is behind the messages.

Enter the short code or phone number of the offending text message to find out more about the sender.

5-6 digit SMS code or phone number

Arrest Records: 2 Secrets

1) Enter Name and State. 2) Access Full Background Checks Instantly.
www.instantcheckmate.com

Reverse Cell Phone Lookup

Looking To Find Out Who Just Called You? Get An Answer Online Now!
www.justelectronics.com

Meet Chinese Lady

Feel Lonely? Seek a Loyal Chinese Girl to Warm Up Your Soul.Free Join
www.chinese-lady.com

AdChoices

ITT Tech - Official Site

100 + Locations & Online Programs Official ITT Tech Site. Get Info!
www2.itt-tech.edu

AdChoices

1

2162353884 or 216-235-3884

Did you get a text message from 2162353884? Report your experience now and help identify who is sending text messages from this number.

User opt out reports for 2162353884

Reply STOP success ★★★★★



fiona

2011-12-06 11:27:26

Text Message ID: 2162353884 / 216-235-3884
 Company :
 Optout success: No

do you need \$5k today? Quick easy and on line and online at www.lend5k.com

Reply

1

Report a SMS text message from 2162353884

Your Name or Nickname

Text Message ID (if you know)

Company Name (if you know)

Did Reply STOP Work

☐ Yes

☐ No

☐ Did not try

Please use appropriate language and submit only truthful information. No HTML allowed
 Thank you for your contribution!

T U E C #

Enter Code

[Refresh image](#)

Submit

[View other senders with 216 area code](#)

11/15/12

Texts from 2162353884 Page 1 of 1

List of all documentented Text Message Programs77818 Text Message Program Details**Name:** Barnes & Noble Text Alerts**Description:** Barnes & Noble promotional text alerts on books and other merchandise sold in store or online.**Phone:** 1-800-647-0843**Rate:** Standard767825 Text Message Program Details**Name:** Subport Alerts**Description:** Subport Alerts find emerging art and design that loves you.**Phone:** 1-800-790-6597**Rate:** Standard76477 Text Message Program Details**Name:** SNIPP**Description:** "Users query any topic or question (an ad, a product, an event, a location) by texting any keyword to the shortcode. They will recieve information abo**Phone:** 1-888-997-6477**Rate:** Standard76299 Text Message Program Details**Name:** US BANK ATM**Description:** US BANK ATM locator text alert**Phone:** 1-800-872-2657**Rate:** Standard

11/15/12

Texts from 2162353884 Page 1 of 1

762775 Text Message Program Details**Name:** Snapple**Description:** Snapple text alerts and various programs.**Phone:** 1-866-447-2745**Rate:** Standard76051 Text Message Program Details**Name:** AEG Event Alerts**Description:** Text alerts from AEG for concerts and other events**Phone:****Rate:** Standard75667 Text Message Program Details**Name:** Skoop! Deals Alerts**Description:** Skoop! Deals Alerts for current promotions and directory info.**Phone:****Rate:** Standard752966 Text Message Program Details**Name:** Movie Gallery**Description:** Movie Gallery is a Standard Rate double opt-in SMS Service with opportunities for Contest Entries and Alerts focused on movie rentals.**Phone:** 1-800-827-1095**Rate:** Standard74928 Text Message Program Details**Name:** Evite J2ME App**Description:** Users opt in to send or receive sms invitations**Phone:****Rate:** Standard74742 Text Message Program Details**Name:** Seminole Gaming Votes**Description:** Seminole Gaming voting for either \$0.99 or \$1.99 per vote.**Phone:** 1-888-236-1550**Rate:** Premium746762 Text Message Program Details**Name:** New Balance Alerts**Description:** New Balance text alerts**Phone:** 1-866-492-7886**Rate:** Standard74657 Text Message Program Details**Name:** Zipcar Text Alerts**Description:** Zipcar members can receive text alerts about their reservation.**Phone:** 1-866-404-7227**Rate:** Standard74444 Text Message Program Details**Name:** Quest Mobile Dating Alerts**Description:** Quest mobile dating text alerts and 20 minutes of bonus talk time for \$9.99.**Phone:** 1-866-914-3556**Rate:** Premium74332 Text Message Program Details**Name:** Popular Texting Entertainment Alerts Subscription**Description:** "Popular Texting music, entertainment and music news text alerts subscription for \$9.99/mo."**Phone:** 1-888-531-4817**Rate:** Premium74034 Text Message Program Details**Name:** New Edge Gaming Alerts Subscription**Description:** New Edge Gaming text alerts subscription for \$6.99/mo.**Phone:** 1-888-307-4885**Rate:** Premium

11/15/12

Texts from 2162353884 Page 1 of 1

74000 Text Message Program Details**Name:** Unlimited Party Chat**Description:** Unlimited Party Chat from www.sms1.com.

Group chatroom monthly text subscription.

Phone: 1-866-358-7327**Rate:** Premium73859 Text Message Program Details**Name:** Chatterbox (Group Chat)**Description:** Users opt in to send and receive chat and alerts**Phone:****Rate:** Standard73776 Text Message Program Details**Name:** ESPN Radio**Description:** "The R-ESPN (73776) short code will be used by the ESPN Network Stations to allow their listeners to interact. Listeners can sign up for sports and st**Phone:****Rate:** Standard73588 Text Message Program Details**Name:** Unlimited Plan Alerts Subscription**Description:** "Unlimited Plan quotes, lyrics, and jokes text alerts subscription for \$9.99/mo."**Phone:** 1-888-427-7567**Rate:** Premium73537 Text Message Program Details**Name:** MasterCard inControl Spend Control and Alerts**Description:** This project will provide issuers and their cardholders the ability to establish spend-control rules for their physical credit cards to be applied dur**Phone:** 1-800-622-7747**Rate:** StandardList of all documented Text Message Programs© SMSWatchDog.com All rights reserved. [Terms](#) | [Privacy](#) | [Legal Stuff](#) | [Contact Us](#) | [Home](#)

11/15/12

Texts from 3038003239 Page 1 of 1



WATCH DOG

Did you receive an Unsolicited text message from an Unknown sender on your mobile phone? Use the free SMSWatchdog Text Message lookup service to learn who is behind the messages.

Enter the short code or phone number of the offending text message to find out more about the sender.

5-6 digit SMS code or phone number

Online Cooking Lessons

Ready To Get Cooking? Enroll Today! Escoffier Online Culinary Academy.
www.escoffieronline.com

Introducing Nexus 7

The 7" tablet that brings you the best of Google. Buy now
play.google.com

\$100-\$1,000 Cash Advance

Instant Approval Cash Advances. No Faxing or Credit Check. 24/7.
www.CashAdvanceCity.org

AdChoices

Online Psychology Degrees

Relevant, Affordable, Accredited. Study Online at Walden University.
Waldenu.edu/Psychology_Programs

AdChoices

1

3038003239 or 303-800-3239

Did you get a text message from 3038003239? Report your experience now and help identify who is sending text messages from this number.

User opt out reports for 3038003239

Reply STOP success Pending



mia

2011-11-26 10:38:54

Text Message ID: 3038003239 / 303-800-3239

Company :

Optout success: Did Not Try

Do you need up to \$5000 today? Easy quick and all online at: www.lend5k.com
 24 month repay all cred ok

Reply



mia

2011-11-26 10:41:32

Text Message ID: 3038003239 / 303-800-3239

Company :

Optout success: Did Not Try

Did not try to stop yet will try after this posting

Reply



TC

2011-11-27 14:27:58

Text Message ID: 3038003239 / 303-800-3239

Company : Alliance Capital Lending Network

Optout success: Did Not Try

From: 3038003239

Sent: Nov 27, 2011 11:10 AM

Subject: We can help with up to \$5000...

We can help with up to \$5000 Today. All online at www.cash5k.com 24 month Repayment, All cred. Ok Txt STOP 2 End

Reply

1

Report a SMS text message from 3038003239

Your Name or Nickname

Text Message ID (if you know)

3038003239

Company Name (if you know)

Did Reply STOP Work

☐ Yes

☐ No

☐ Did not try

11/15/12

Texts from 3038003239 Page 1 of 1



**Select and Save
Hundreds!**

Easy Form

Click your state:

AL	AK	AZ	AR	CA
CO	CT	DE	FL	GA
HI	ID	IL	IN	IA
KS	KY	LA	ME	MD
MA	MI	MN	MS	MO
MT	NE	NV	NH	NJ
NM	NY	NC	ND	OH
OK	OR	PA	RI	SC
SD	TN	TX	UT	VT
VA	WA	WV	WI	WY

iMotors.com

Please use appropriate language and submit only truthful information. No HTML allowed.
Thank you for your contribution!

[Refresh image](#)

Submit

[View other senders with 303 area code](#)

List of all documented Text Message Programs

77818 Text Message Program Details

Name: Barnes & Noble Text Alerts

Description: Barnes & Noble promotional text alerts on books and other merchandise sold in store or online.

Phone: 1-800-647-0843

Rate: Standard

767825 Text Message Program Details

Name: Support Alerts

Description: Support Alerts find emerging art and design that loves you.

Phone: 1-800-790-6597

Rate: Standard

76477 Text Message Program Details

Name: SNIPP

Description: "Users query any topic or question (an ad, a product, an event, a location) by texting any keyword to the shortcode. They will receive information about it."

Phone: 1-888-997-6477

Rate: Standard

76299 Text Message Program Details

Name: US BANK ATM

Description: US BANK ATM locator text alert

Phone: 1-800-872-2657

Rate: Standard

11/15/12

Texts from 3038003239 Page 1 of 1

762775 Text Message Program Details**Name:** Snapple**Description:** Snapple text alerts and various programs.**Phone:** 1-866-447-2745**Rate:** Standard76051 Text Message Program Details**Name:** AEG Event Alerts**Description:** Text alerts from AEG for concerts and other events**Phone:****Rate:** Standard75667 Text Message Program Details**Name:** Skoop! Deals Alerts**Description:** Skoop! Deals Alerts for current promotions and directory info.**Phone:****Rate:** Standard752966 Text Message Program Details**Name:** Movie Gallery**Description:** Movie Gallery is a Standard Rate double opt-in SMS Service with opportunities for Contest Entries and Alerts focused on movie rentals.**Phone:** 1-800-827-1095**Rate:** Standard74928 Text Message Program Details**Name:** Evite J2ME App**Description:** Users opt in to send or receive sms invitations**Phone:****Rate:** Standard74742 Text Message Program Details**Name:** Seminole Gaming Votes**Description:** Seminole Gaming voting for either \$0.99 or \$1.99 per vote.**Phone:** 1-888-236-1550**Rate:** Premium746762 Text Message Program Details**Name:** New Balance Alerts**Description:** New Balance text alerts.**Phone:** 1-866-492-7886**Rate:** Standard74657 Text Message Program Details**Name:** Zipcar Text Alerts**Description:** Zipcar members can receive text alerts about their reservation.**Phone:** 1-866-404-7227**Rate:** Standard74444 Text Message Program Details**Name:** Quest Mobile Dating Alerts**Description:** Quest mobile dating text alerts and 20 minutes of bonus talk time for \$9.99.**Phone:** 1-866-914-3556**Rate:** Premium74332 Text Message Program Details**Name:** Popular Texting Entertainment Alerts Subscription**Description:** "Popular Texting music, entertainment and music news text alerts subscription for \$9.99/mo."**Phone:** 1-888-531-4817**Rate:** Premium74034 Text Message Program Details**Name:** New Edge Gaming Alerts Subscription**Description:** New Edge Gaming text alerts subscription for \$6.99/mo.**Phone:** 1-888-307-4885**Rate:** Premium

11/15/12

Texts from 3038003239 Page 1 of 1

74000 Text Message Program Details**Name:** Unlimited Party Chat**Description:** Unlimited Party Chat from www.sms1.com.
Group chatroom monthly text subscription.**Phone:** 1-866-358-7327**Rate:** Premium73859 Text Message Program Details**Name:** Chatterbox (Group Chat)**Description:** Users opt in to send and receive chat and alerts**Phone:****Rate:** Standard73776 Text Message Program Details**Name:** ESPN Radio**Description:** "The R-ESPN (73776) short code will be used by the ESPN Network Stations to allow their listeners to interact. Listeners can sign up for sports and st**Phone:****Rate:** Standard73588 Text Message Program Details**Name:** Unlimited Plan Alerts Subscription**Description:** "Unlimited Plan quotes, lyrics, and jokes text alerts subscription for \$9.99/mo."**Phone:** 1-888-427-7567**Rate:** Premium73537 Text Message Program Details**Name:** MasterCard inControl Spend Control and Alerts**Description:** This project will provide issuers and their cardholders the ability to establish spend-control rules for their physical credit cards to be applied dur**Phone:** 1-800-622-7747**Rate:** StandardList of all documented Text Message Programs© SMSWatchDog.com All rights reserved. [Terms](#) | [Privacy](#) | [Legal Stuff](#) | [Contact Us](#) | [Home](#)

11/15/12

Report Spam Calls and Texts - Mr. Number



904-514

Search

Reverse Lookup

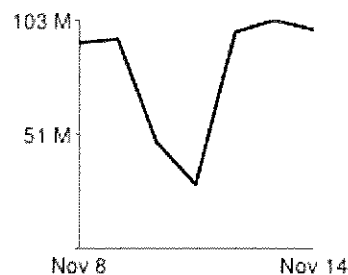
Like

3,647 people like this. Sign
Up to see what your friends
like.

989

Follow

Weekly Spam Activity



Top 10 Spam Offenders

Worst offenders over the last 7 days

1. [702-576-0461](#)
2. [757-961-3544](#)
3. [541-200-3223](#)
4. [866-985-2273](#)
5. [405-415-0427](#)
6. [952-679-3151](#)
7. [802-488-3060](#)
8. [800-613-6524](#)
9. [516-992-6475](#)
10. [678-681-1023](#)

[View full leaderboard](#)

11/15/12

Report Spam Calls and Texts – Mr. Number

Recent Comments

609-555-3478

electric switch telemarketer

Reported on Nov 15 at 02:11 PM

866-216-9819

a woman from this number callsour business constantly.. she is very rude and talks badly about our management and ownership. as bad as she t...

Reported on Nov 15 at 02:11 PM

800-284-3233

I was approached by a younster selling Bee subscriptions. I bought a 6 week subscription for an elderly neighbor. The Bee did not stop del...

Reported on Nov 15 at 02:10 PM

[Read more comments](#)

Recent comments about 904-514-xxxx

904-514-5784 reported on Nov 13 at 05:46 PM

Getting texts about free electronic cigarettes

904-514-5784 reported on Nov 13 at 02:10 PM

Text says: Hey [name], not sure if you or anyone you know still smokes. But www.smoke555.com is giving away free e-cig trials. -mike Scam.

904-514-9842 reported on Nov 08 at 05:52 PM

Send straight to voicemail please

904-514-8358 reported on Nov 05 at 01:55 PM

Deadbeat

904-514-6707 reported on Oct 21 at 06:07 AM

Keeps sending me a text about cigarettes .

904-514-7366 reported on Sep 01 at 09:21 PM

Ughh

904-514-8812 reported on Aug 19 at 02:27 PM

This person called my phone a couple of minutes ago. I answered the phone, "Hello". The male caller said, "hello"? I said hello one more time and he said hello again. I can't stand dorks that do not know how to communicate over the phone. I don't play the hello game with people DA!

904-514-0309 reported on Aug 11 at 07:06 AM

Some kind of car credit company. Sent me a text.

904-514-0309 reported on Nov 03 at 07:47 AM

Talking about buying cars at zero down.....

904-514-9529 reported on Oct 02 at 10:07 AM

The call came in at 5:30 a.m. What an asshole!

904-514-8876 reported on Jul 07 at 05:29 AM

This person dialed my office and just hung on the phone and would not say anything. What a dork! So I called back to see who would answer and they would not answer the phone.

904-514-0428 reported on Jun 19 at 05:22 AM

Call me names

904-514-9943 reported on Jun 09 at 06:50 AM

Telemarketer

904-514-9943 reported on May 23 at 07:43 AM

text sent to my phone "get up to 5000 for anything quick easy online approval at www.lend5k.com all cred.

11/15/12

Report Spam Calls and Texts – Mr. Number

ok easy repayment"

904-514-8947 reported on May 22 at 03:58 PM

Who is calling me from this number????

904-514-9943 reported on May 18 at 04:37 PM

Quick easy online approval at www.lend5k.com all credit ok easy repayment

904-514-0825 reported on Mar 10 at 05:39 PM

Telemarketing

904-514-5527 reported on Feb 13 at 11:10 PM

That keep calling me when I toled them to stop. Blowing up my phone and ish. Any one call you call her and say stop call me (lamar) do what ever you have to do to make her stop. There names are Janea and kintesta plz that are 12. Make sure you use *67. Thanks

904-514-5527 reported on Feb 13 at 11:10 PM

That keep calling me when I toled them to stop. Blowing up my phone and ish. Any one call you call her and say stop call me (lamar) do what ever you have to do to make her stop. There names are Janea and kintesta plz that are 12. Make sure you use *67. Thanks

904-514-0717 reported on Feb 11 at 06:13 PM

Some fool

904-514-9018 reported on Jan 14 at 05:40 PM

This cell phone keeps calling and calling and calling, and when u call them back the voicemail is uderly full. My phone isn't registered anywhere too!! Aarrggghh!

904-514-6121 reported on Dec 10 at 04:04 PM

I keep getting messages over and over from some company to have my house evaluated for a home evaluation for energy savings, and this is just one of the phone numbers that appears on my caller ID. It is an obnoxious recording that tells me to press 1 to learn more about home energy savings. I have pressed 1 on many occasions and asked numerous times to have my number taken off their list, but they continue to call. I have asked the agents the name of the company they represent, and they respond with another question about my home energy. They always hang up when I state that I am on the Do Not Call list. I am very irritated with this, and I am indeed on the Do Not Call list. Is anyone else having the same issue?

904-514-6121 reported on Nov 24 at 12:47 PM

This idiot calls every day with some type of energy program. It is a recording and the message says, "This is your last chance to get into this program! Please push 1 now." I never push any other numbers unless I know to whom I am talking with. This Number is a cell phone in Jacksonville, Florida. This should be stopped!!!!

904-514-6121 reported on Nov 24 at 12:26 PM

These people call me everyday, they're trying to set up some kind of free home energy evaluation... If you try to call them back, it's a cell phone that goes straight to voicemail and the mailbox is full... I just answered the last time they called and asked to be taken off of their call list repeatedly until the guy on the other end just hung up on me! Is there anyway to repost this kind of stuff?

904-514-6121 reported on Nov 24 at 12:01 PM

They keep calling and never leave a message. Who is it?

904-514-3951 reported on Oct 12 at 07:57 AM

They ask me to pass down somthing about talling ur girl she is beautiful

I

© 2012 Mr. Number

- [Mr. Number](#)
- [Mr. Number Blog](#)
- [About Us](#)
- [Jobs](#)
- [Help](#)

11/15/12

Report Spam Calls and Texts - Mr. Number

- [Pricing](#)
- [FAQs](#)
- [Legal](#)
- [Terms of Service](#)
- [Privacy Policy](#)
- [Copyright Policy](#)

[Download](#)

11/15/12

Who is calling me from 9045149943 / 904-514-9943 / 904 514 9943? - Callerr.com



Like

0

Tweet

0

0

Search a phone number below:

Search

9045149943 / 904-514-9943 / 904 514 9943

City: Jacksonville

State: Florida

Country: United States

3 Reports on 9045149943 ([Leave your own report](#))

AdChoices

missed the ring

Reported by Francisco on Monday, 04.25.2011 @ 19:17pm. Report #9806289740

sms sent to our telephone "get up to 50 for a single thing quick easy online approval at w. lend5k. com all cred, ok easy repayment"

Reported by Timmy on Wednesday, 04.27.2011 @ 08:06am. Report #5179795900

Quick easy online approval at w. lend5k. com all credit ok easy repayment

Reported by Portia on Monday, 05.16.2011 @ 13:44pm. Report #6895606658

Leave your Report:

Your Name: *

Your Report: *

Company Calling:

Name of the company that called you (Optional)

Type of call:

Please select the nature of the call (Optional)

space

melons



COP 6800
7600 6800

Please type the words in the textbox you see in the picture above. This is to prevent SPAM

Submit Report

Note: Please DO NOT Post Offensive or Incorrect Information.

More numbers in [Area Code 904](#)Read more reports on: [7142747402](#) [5143153686](#) [8865812499](#) [8882714732](#) [02081145409](#) [9195762540](#) [6463344280](#) [2107871735](#) [5541952010](#)[Privacy Policy](#) [Terms](#) [Contact](#)

Page load time: 0.0064980983734131 seconds

Exhibit C

(Filed Under Seal)

Exhibit D



*We Specialize in Finding Lenders for Customers
with Less Than Perfect Credit!*

**NO Lines,
NO Hassles,
NO Paperwork!**

**Up To \$2,500
In Cash or Credit**

**ONLINE APPROVALS
IN SECONDS!**

Your Loan Request Progress

State of Residence

Choose :

Zip Code

**In total, how much would you
like to borrow?**

Choose :

☐ By checking this box I agree
that I have read and agree to the
[Privacy Policy & Terms](#)

NEXT

We Make it Easy!

- 1** Submit Info!
- 2** Get Matched!
- 3** Get Results!

**Great Payment
Terms!**



* The operator of this website will search their system on an ongoing basis to bring you financial offers that suit your everyday needs. They are not a lender and they cannot guarantee you will be approved, but they will match your profile with their database of lenders to give you the best offers for your situation. Not all lenders can provide the advertised loan amount. Their lenders include short term loan and payday loan lenders. This website does not constitute an offer or solicitation to lend. This site will submit the information you provide to lenders in their network. Providing your information on this website does not guarantee that you will be approved for a cash advance or loan.

What is the APR for a loan that I may get from a lender when matched on this site? First off, it's important to understand what an APR is. APR, or (Annual Percentage Rate) is a term that is meant to represent the interest rate and fees of a loan for an entire year. Most likely, the loan that you are likely to be offered is intended to be a short-term loan that is repaid in a matter of weeks, not years, so using an APR to represent the fees is not only inaccurate, but can be misleading. However, since APR is a commonly used way of expressing the fees of other common loans, such as mortgage loans, auto loans, and other types of personal loans, it can be useful for you to know what the representative APR ranges could be for a short-term loan that you may receive as well. Each lender is required to provide you, the consumer, with all costs associated to be expressed as an annual percentage rate of interest (APR). This information will include the identity of the creditor, the amount financed, the itemization of amount financed, the finance charge, the annual percentage rate, your payment schedule, and your total number of payments. You will be able to review all this information BEFORE you obligate yourself to any loan. Your interest rate will vary depending upon which product you select from which lender. Since this site is a lending matching network and not the actual lender, we aren't able to accurately represent the exact APR that your lender may offer; however, the typical representative APR range is somewhere between 261% and 1404% for a 14 day loan. It is important that you review your specific loan terms that you are offered from your lender before you obligate yourself to the terms. With this in mind, you should always pay your loan back on time to avoid additional fees and penalties. In addition, the Federal Equal Credit Opportunity Act prohibits creditors from discriminating against applicants on the basis of color, race, religion, sex, marital status, and age.

What happens if I'm late paying back the loan? If you are matched with a lender and accept the terms and conditions of their loan offer, you are agreeing to pay that loan back in the amount of time expressed in the loan documents. Partial payment, non-payment, or late payment is likely to result in additional fees. If you refuse to repay the loan all together, it is likely that the lender will engage a collection company to try and recoup what you owe them (just like any lender would). Please don't agree to any loan that you cannot repay. Renewal policies are different for every lender. As a convenience to you, some lenders may agree to alternative payment options. Some of these options may result in a renewed or "roll-over" loan that may have additional fees and may renew automatically unless you request otherwise. Please make sure to review your lender's renewal policies, and make sure that your payment preferences are known to your lender. If you have questions or need more information on renewal policies, please contact the lender directly and they will be happy to provide you that information. While most lenders in this site's network do not run a traditional credit check, it is important for us to let you know that in some cases credit checks, consumer credit reports and other personal data may be obtained by some lenders from Experian, Equifax, Trans Union or through alternative providers in order to make a decision on whether or not to offer you a loan. It is also important to mention that if you do not repay your loan on time your delinquency may be reported to a credit bureau, which could negatively impact your credit score. As with any loan, it's important to repay the loan on time or contact the lender to work out a payment plan just as soon as possible.

The operator of this website is not an agent, representative or broker of any lender and does not endorse or charge you for any service or product. Cash transfer times may vary between lenders and may depend on your individual financial institution. In some circumstances faxing may be required. This service is not available in all states, and the states serviced by this website may change from time to time and without notice. For details, questions or concerns regarding your cash advance, please contact your lender directly. Cash advances are meant to provide you with short term financing to solve immediate cash needs and should not be considered a long term solution. Please borrow responsibly!

Copyright © 2013 Alpine Select Lenders Network

[How It Works](#) | [FAQs](#) | [About Our Credit Providers](#) | [Privacy Policy](#) | [Terms](#) | [Financial Fundamentals](#) | [Contact Us](#) | [Unsubscribe](#) | [Report SMS Abuse](#)

Exhibit E

**KRONENBERGER ROSENFELD, LLP**

Karl S. Kronenberger (admitted *pro hac vice*)
 Jeffrey M. Rosenfeld (admitted *pro hac vice*)
 Virginia A. Sanderson (admitted *pro hac vice*)
 150 Post Street, Suite 520
 San Francisco, CA 94108
 Telephone: (415) 955-1155
 Facsimile: (415) 955-1158
 karl@KRInternetLaw.com
 jeff@KRInternetLaw.com
 ginny@KRInternetLaw.com

FOX ROTHSCHILD LLP

John Gutke (NV State Bar No. 10062)
 Wells Fargo Tower, Suite 500
 3800 Howard Hughes Parkway
 Las Vegas, NV 89169
 Telephone: (702) 262-6899
 Facsimile: (702) 597-5503
 jgutke@foxrothschild.com

Attorneys for Defendant Net 1 Promotions, LLC
 dba Click Media

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

FLEMMING KRISTENSEN, individually
 and on behalf of a class of similarly
 situated individuals,

Plaintiff,

v.

CREDIT PAYMENT SERVICES INC., a
 Nevada corporation, f/k/a
 MYCASHNOW.COM INC., **ENOVA
 INTERNATIONAL, INC.**, an Illinois
 corporation, **PIONEER FINANCIAL
 SERVICES, INC.**, a Missouri corporation,
LEADPILE LLC, a Delaware limited
 liability company, and **CLICKMEDIA LLC**
 d/b/a NET1 PROMOTIONS LLC, a
 Georgia limited liability company,

Defendants.

Case No. 2:12-CV-00528-APG (PAL)

**DEFENDANT NET 1 PROMOTIONS,
 LLC d/b/a CLICK MEDIA'S FIRST
 AMENDED AND SUPPLEMENTAL
 OBJECTIONS AND RESPONSES TO
 PLAINTIFF'S FIRST SET OF
 INTERROGATORIES**

1 Based on the parties' August 15, 2013 conference, and without waiving the
 2 foregoing general objections, objections to definitions, and specific objections, Defendant
 3 responds as follows:

4 Defendant has not sent any SMS messages promoting loan services or products.
 5 The following people have knowledge regarding text messages sent by affiliates of
 6 Defendants that promoted Defendant's loan websites:

- 7 • Tom Borello, Vice President of Finance;
- 8 • Dawn Landers, Vice President of Operations;
- 9 • Joe Hegedus, Chief Technical Officer;
- 10 • Roy Cicola, Chief Marketing Officer;
- 11 • Joshua Ware, Senior Systems/Network/Database Administrator.

12
 13 **INTERROGATORY NO. 6:**

14 Identify any and all entities and/or Persons with whom Click Media has or had a
 15 contract or agreement (whether written or verbal) to create, design, or transmit SMS
 16 Messages promoting online payday loan products and service, including the Text
 17 Message identified in Plaintiff's Complaint, during the Relevant Time Period.

18 **RESPONSE TO INTERROGATORY NO. 6:**

19 Defendant objects to this Interrogatory as overbroad and not relevant to any claim
 20 or defense in this action. Plaintiff has not sought to limit this Interrogatory to the texts at
 21 issue in this action or to the sender(s) of those allegedly unlawful texts. Defendant's
 22 relationship with third parties that may send lawful text messages, unrelated to the
 23 allegations in this action, are beyond the scope of permissible discovery. Defendant
 24 objects to this Interrogatory as seeking confidential and proprietary information where the
 25 probative value of the requested information does not outweigh the intrusion into
 26 Defendant's confidential business interests.

27 Based on the parties' August 15, 2013 conference, and without waiving the
 28 foregoing general objections, objections to definitions, and specific objections, Defendant



1 responds as follows:

2 Defendant has not entered into any contracts or agreements to create, design, or
3 transmit SMS texts. Defendant has entered into contracts with AC Referral, through
4 which AC Referral was permitted to promote Defendant's loan websites through lawful
5 SMS texts. Defendant is not aware of any other contract between Defendant and any
6 affiliate or person, through which that affiliate or person was permitted to promote
7 Defendant's websites through SMS texts.

8
9 **INTERROGATORY NO. 7:**

10 Describe the process by which Click Media tracks and monitors consumers that
11 access the website <https://thesmartcreditsolution.securelink.corp.com> and eventually
12 receive a loan from Defendants eNova International, Inc., Pioneer Financial Services,
13 Inc. and Credit Payment Services, Inc. such that Click Media is able to pay its affiliate
14 marketers James Gee, AC Referral Systems, Michael Ferry, 360 Data Management,
15 John Thomas, and JT Enterprises for the generation of such Leads.

16 **RESPONSE TO INTERROGATORY NO. 7:**

17 Defendant objects to this Interrogatory as assuming incorrect predicate facts.

18 Without waiving the foregoing general objections, objections to definitions, and
19 specific objections, Defendant responds as follows:

20 Defendant has entered into contracts with thousands of independent publishers.
21 These agreements permit the publishers to promote Defendant's campaigns through a
22 variety of lawful methods, including through the use of lawful text messages that comply
23 with the TCPA. Some of Defendant's campaigns promote consumer loans.

24 When a user receives an advertisement from a publisher that has contracted with
25 Defendant, and that user clicks on a link in the advertisement, the user is redirected to
26 one of Defendant's websites. Where the advertisement promotes a loan, the user is
27 redirected to one of Defendant's websites promoting loans.

28 Once the user arrives on one of Defendant's websites promoting loans, the user



1 can complete an online application if he/she reviews and agrees to Defendant's Privacy
 2 Policy and Terms. If the user agrees to the Privacy Policy and Terms and completes the
 3 application, the user's information (along with the identity of the referring publisher) is
 4 collected and stored by Defendant in a MySQL database. If the user does not complete
 5 these steps, Defendant does not collect the user's information.

6 Where the user has completed the above-described steps on one of Defendant's
 7 loan websites, Defendant forwards the user's information to loan providers, such as
 8 Leadpile, LLC. Defendant does not have any current relationship with eNova
 9 International, Inc., Pioneer Financial Services, Inc, or Credit Payment Services Inc.
 10 Defendant does not track whether the user and the lender complete a loan.

11
 12 **INTERROGATORY NO. 8:**

13 Describe the process by which the URLs "www.lend5k.com" and
 14 "www.loans33.com" automatically redirect to the URL
 15 <https://thesmartcreditsolution.securelink.corp.com>.

16 **RESPONSE TO INTERROGATORY NO. 8:**

17 Defendant objects to this Interrogatory as seeking information that is not in
 18 Defendant's possession, custody, or control and as asking Defendant to speculate.

19 Without waiving the foregoing general objections, objections to definitions, and
 20 specific objections, Defendant responds as follows:

21 Defendant has entered into contracts with thousands of independent publishers.
 22 These agreements permit the publishers to promote Defendant's campaigns through a
 23 variety of lawful methods, including through the use of lawful text messages that comply
 24 with the TCPA. Some of Defendant's campaigns promote loans.

25 When a user receives an advertisement from a publisher that has contracted with
 26 Defendant, and that user clicks on a link in the advertisement, the user is redirected to
 27 one of Defendant's websites. Where the advertisement promotes a loan, the user is
 28 redirected to one of Defendant's websites promoting loans. The website located at



1 <thesmartcreditsolution.securelink.corp.com> is a loan-related website operated by
2 Defendant.

3 A publisher may create an invisible, intermediary website between the
4 advertisement and Defendant's loan-related website. In other words, a publisher may
5 insert a hyperlink in an advertisement that directs users to one of the publisher's own
6 websites. However, users do not see this intermediary website of the publisher; rather
7 users are immediately redirected to one of Defendant's websites. In this context, when a
8 user clicks on the hyperlink in a publisher's advertisement, he/she is first taken to the
9 publisher's website, and then is automatically redirected to one of Defendant's websites,
10 though the user never views the publisher's website.

11 Despite all of the foregoing, at this time, Defendant does not have any evidence
12 indicating that the specific advertisement described in the complaint worked in this
13 manner.

14
15 **INTERROGATORY NO. 9:**

16 Identify each and every Person that placed the URLs "www.lend5k.com" and
17 "www.loans33.com" in the content of SMS Messages for the purpose of redirecting
18 consumers to the website https://thesmartcreditsolution.securelinkcorp.com.

19 **RESPONSE TO INTERROGATORY NO. 9:**

20 Without waiving the foregoing general objections and objections to definitions,
21 Defendant responds as follows:

22 Despite a diligent review of its records, Defendant has not identified information
23 that would permit it to respond to this Interrogatory.

24
25 **INTERROGATORY NO. 10:**

26 Identify any Person(s) (or the cellular telephone number of such Person(s)) that
27 received a SMS Message containing the URLs www.lend5k.com and www.loans33.com
28 during the Relevant Time Period.



Exhibit F

(Filed Under Seal)

Exhibit G

(Filed Under Seal)

Exhibit H

(Filed Under Seal)

Exhibit I

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Jersey

Flemming Kristensen

Plaintiff

v.

Credit Payment Services, Inc.

Defendant

Civil Action No. 12-cv-528

(If the action is pending in another district, state where:

District of Nevada

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: T-Mobile USA, Inc. 4 Sylvan Way, Parsippany, NJ 07054 Fax: (973) 292-8681 Email: ler4@t-mobile.com

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: See attached Schedule

Place: See attached Schedule

Date and Time:

09/27/2012 5:00 pm

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 09/06/2012

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Pltf. Flemming Kristensen, who issues or requests this subpoena, are:

Edelson McGuire, LLC, by John C. Ochoa
350 North LaSalle, Suite 1300, Chicago, IL 60654
phone: 312-572-7209 email: jochoa@edelson.com

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 12-cv-528

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)**(c) Protecting a Person Subject to a Subpoena.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) *Contempt.* The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

Issued by

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

FLEMMING KRISTENSEN, individually and on
behalf of a class of similarly situated individuals,

Plaintiff,

v.

CREDIT PAYMENT SERVICES INC., a Nevada
corporation, f/k/a MYCASHNOW.COM INC.,

Defendant.

Case No. 2:12-CV-00528-KJD (PAL)

Judge: Hon. Kent J. Dawson

SCHEDULE TO SUBPOENA TO T-MOBILE USA, INC.

Pursuant to the provisions of Rule 45 of the Federal Rules of Civil Procedure, Plaintiff Flemming Kristensen requests that you cause to be delivered all of the following documents that are in your possession, custody or control, including documents within the possession, custody or control of your officers, agents, attorneys, or employees, to the following location by 5:00 p.m. on September 27, 2012:

John C. Ochoa Edelson McGuire, LLC 350 North LaSalle Street, Suite 1300 Chicago, Illinois 60654 Telephone: 312.589.6370 Facsimile: 312.589.6378 jochoa@edelson.com	
--	--

DEFINITIONS

“AND” as well as “OR” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these requests any information which might otherwise be construed to be outside its scope.

“ANY” and “ALL” shall be construed to include “each” and “each and every.”

“BILLS” shall mean All Documents reflecting charges and call history (which includes the date and time of Cellular Phone calls and Text Messages, and the phone number associated with the sender and recipient of such transmissions).

“CELLULAR TELEPHONE” shall mean cellular telephone, cell phone, mobile phone, wireless device, or wireless telephone.

“DOCUMENT” or “DOCUMENTS” shall mean any writings, letters, telegrams, memoranda, Correspondence, email messages, memoranda or notes of conferences or telephone conversations, reports, studies, lists, compilations of data, papers, books, records, contracts, deeds, leases, agreements, pictures, photographs, transcripts, tapes, microfilm, computer data files, printouts, accounting statements, mechanical and electrical recordings, checks, pleadings, and other tangible things upon which any handwriting, typing, printing, drawing, representation, photostatic, or other magnetic or electrical impulses or other form of communication is recorded, stored or produced, including audio and video recordings and electronically-stored information (including but not limited to e-mails, web pages, Websites, computer discs, computer programs and computer files, including, where applicable, compiled and uncompiled source code), whether or not in printout form. These terms shall also mean copies of Documents even though the originals are not in your possession, custody or control; every copy of a Document which

contains handwritten or other notations or which otherwise does not duplicate the original of any other copy; all attachments to any Document; and any other Document, item and/or information discoverable under federal law and procedure, including, without limitation, the items referenced in Federal Rule of Civil Procedure 34(a)(1).

“ELECTRONICALLY STORED INFORMATION” or “ESI” as used herein, means and refers to computer generated information or data, of any kind, stored on computers, file servers, disks, tape or other devices or media, or otherwise evidenced by recording on some storage media, whether real virtual, or cloud based.

“REGARDING” or “RELATE TO” means discussing, mentioning, addressing, referring to, analyzing, comprising, underlying, memorializing, describing, or showing the subject indicated.

“TEXT MESSAGE” or “TEXT MESSAGE CALL” shall mean a text message, text message call, text call, text message advertisement, SMS message, Short Message Service, SMS message call, or SMS communication.

“YOU,” “YOUR,” or “T-MOBILE” means or refers to T-MOBILE USA, INC., and its divisions, subsidiaries, related companies, predecessors, and successors, all present and former officers, directors, agents, attorneys, employees, and all persons acting or purporting to act on behalf of any of them.

The singular includes the plural number and vice versa. The past tense includes the present tense where the clear meaning is not distorted by change of tense. The particularity or generality of any single discovery request shall not limit any other discovery request.

Where a request addresses acts or omissions of any entity, it shall be construed and interpreted to apply to the acts or omissions of that entity and the acts or omissions of that entity's employees, assigns, contractors, and any other agent of that entity.

All other terms shall be construed as necessary to bring within the scope of these requests any information that might otherwise be construed to be outside its scope.

INSTRUCTIONS

Please contact John C. Ochoa at (312) 572-7209, or email him at jochoa@edelson.com at your earliest convenience. The intent is to avoid or minimize unnecessary expenses or burdens on the respondent. Minimizing expenses and/or burdens will require early and cooperative communication.

If You object to producing a Document and/or Electronically Stored Information because of a privilege, You must provide the following information:

- (1) the nature of the privilege claimed, including work product;
- (2) if the privilege is being asserted in connection with a claim or defense governed by law, the privilege rule being invoked;
- (3) the date of the Document and/or electronically stored information;
- (4) the Document's type (e.g., letter or memorandum) and, if Electronically Stored Information, the software application used to create it (e.g., MS Word or MS Excel Spreadsheet), and the custodian, location, and such other information sufficient to identify the material, including, where appropriate, the author, the addressee, and the relationship between the author and addressee; and
- (5) the general subject matter of the Document and/or electronically stored information.

If the request is objected to on the basis that the time period covered by the request is irrelevant, burdensome, or otherwise inappropriate, state what time period You consider proper for that request, and answer the request for that time period, preserving Your objection to the remainder of the time period.

If You choose to provide in electronic media or machine-readable form (such as computer disk, cartridge, tape, punch cards, or other non-printed media) any Documents or other materials in Your answer, You must provide all information and things necessary for Plaintiff to fully access, read, and decode into plain English text all data and files so provided.

All electronic Documents, file systems, digital media and Electronically Stored Information are to be produced in their respective native formats with all associated metadata intact and, if such electronic Documents or Electronically Stored Information are no longer available in their native formats for any reason, please identify the reasons such native format Documents are no longer so available and the dates each such Document became unavailable.

All Documents are to be produced in the form, order, and manner in which they are maintained in Your files. Documents are to be produced in the folders, cartons, or containers in which they have been maintained, stored, clipped, stapled, or otherwise arranged in the same form and manner in which they were found and in such a manner that the office and location from which they were produced is readily identifiable. Whenever a Document (as defined) or group of Documents is taken out of a file folder, file drawer, file box, or notebook, before the same is produced, attach thereto a copy of the label on the file folder, file box, or notebook from which the Document or group of Documents was removed.

If any Document requested has been lost or destroyed since its creation, identify the nature of the Document (e.g. letter, email, etc.), the date of the Document, the Persons who sent

and received the original and any copy of the Document, a summary of the content of the Document, and describe when, where, how, and by whom said Document was lost or destroyed, and state the name of the Person(s) who last had custody thereof.

DOCUMENT REQUEST NO. 1

All Cellular Phone Bills Related To the phone number (330) 564-6316 for the period between September 1, 2011 and February 31, 2012.

DOCUMENT REQUEST NO. 2

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (330) 564-6316 between September 1, 2011 and February 31, 2012.

DOCUMENT REQUEST NO. 3

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (330) 564-6316 for the period between September 1, 2011 and February 31, 2012.

Dated: September 6, 2012

Respectfully Submitted,

FLEMMING KRISTENSEN, individually
and on behalf of a class of similarly situated
individuals

BY: /s/ John C. Ochoa
One of his attorneys

John Benedict, Esq.
LAW OFFICES OF JOHN BENEDICT
Nevada Bar No. 005581
2190 E. Pebble Road, Suite 260
Las Vegas, Nevada 89123
Telephone: (702) 333-3770
Facsimile: (702) 361-3685
john.benedict.esq@gmail.com

Evan Meyers (admitted *pro hac vice*)
emeyers@edelson.com
John C. Ochoa (admitted *pro hac vice*)
jochoa@edelson.com
EDELSON MCGUIRE LLC
350 North LaSalle Street, Suite 1300
Chicago, Illinois 60654
Telephone: (312) 589-6370
Facsimile: (312) 589-5378

Counsel for Plaintiff
FLEMMING KRISTENSEN

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Jersey

Flemming Kristensen

Plaintiff

v.

Credit Payment Services, Inc.

Defendant

Civil Action No. 12-cv-00528

(If the action is pending in another district, state where:
District of Nevada)SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: T-Mobile USA, Inc. 4 Sylvan Way, Parsippany, NJ 07054 Fax: (973) 292-8681 Email: ler4@t-mobile.com

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: See attached Schedule

Place: See attached Schedule

Date and Time:

12/31/2012 5:00 pm

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 12/04/2012

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Pltf. Flemming Kristensen, who issues or requests this subpoena, are:

Edelson McGuire, LLC, by John C. Ochoa
350 North LaSalle, Suite 1300, Chicago, IL 60654
phone: 312-572-7209 email: jochoa@edelson.com

AO 88B (Rev. 06/09) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 12-cv-00528

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)**(c) Protecting a Person Subject to a Subpoena.**

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) Contempt. The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

Issued by

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

FLEMMING KRISTENSEN, individually and on
behalf of a class of similarly situated individuals,

Plaintiff,

v.

CREDIT PAYMENT SERVICES INC., a Nevada
corporation, f/k/a MYCASHNOW.COM INC.,

Defendant.

Case No. 2:12-CV-00528-KJD (PAL)

Judge: Hon. Kent J. Dawson

SCHEDULE TO SUBPOENA TO T-MOBILE USA, INC.

Pursuant to the provisions of Rule 45 of the Federal Rules of Civil Procedure, Plaintiff Flemming Kristensen requests that you cause to be delivered all of the following documents that are in your possession, custody or control, including documents within the possession, custody or control of your officers, agents, attorneys, or employees, to the following location by 5:00 p.m. on December 31, 2012:

John C. Ochoa Edelson McGuire, LLC 350 North LaSalle Street, Suite 1300 Chicago, Illinois 60654 Telephone: 312.589.6370 Facsimile: 312.589.6378 jochoa@edelson.com	
--	--

DEFINITIONS

“AND” as well as “OR” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these requests any information which might otherwise be construed to be outside its scope.

“ANY” and “ALL” shall be construed to include “each” and “each and every.”

“BILLS” shall mean All Documents reflecting charges and call history (which includes the date and time of Cellular Phone calls and Text Messages, and the phone number associated with the sender and recipient of such transmissions).

“CELLULAR TELEPHONE” shall mean cellular telephone, cell phone, mobile phone, wireless device, or wireless telephone.

“DOCUMENT” or “DOCUMENTS” shall mean any writings, letters, telegrams, memoranda, Correspondence, email messages, memoranda or notes of conferences or telephone conversations, reports, studies, lists, compilations of data, papers, books, records, contracts, deeds, leases, agreements, pictures, photographs, transcripts, tapes, microfilm, computer data files, printouts, accounting statements, mechanical and electrical recordings, checks, pleadings, and other tangible things upon which any handwriting, typing, printing, drawing, representation, photostatic, or other magnetic or electrical impulses or other form of communication is recorded, stored or produced, including audio and video recordings and electronically-stored information (including but not limited to e-mails, web pages, Websites, computer discs, computer programs and computer files, including, where applicable, compiled and uncompiled source code), whether or not in printout form. These terms shall also mean copies of Documents even though the originals are not in your possession, custody or control; every copy of a Document which

contains handwritten or other notations or which otherwise does not duplicate the original of any other copy; all attachments to any Document; and any other Document, item and/or information discoverable under federal law and procedure, including, without limitation, the items referenced in Federal Rule of Civil Procedure 34(a)(1).

“ELECTRONICALLY STORED INFORMATION” or “ESI” as used herein, means and refers to computer generated information or data, of any kind, stored on computers, file servers, disks, tape or other devices or media, or otherwise evidenced by recording on some storage media, whether real virtual, or cloud based.

“REGARDING” or “RELATE TO” means discussing, mentioning, addressing, referring to, analyzing, comprising, underlying, memorializing, describing, or showing the subject indicated.

“TEXT MESSAGE” or “TEXT MESSAGE CALL” shall mean a text message, text message call, text call, text message advertisement, SMS message, Short Message Service, SMS message call, or SMS communication.

“YOU,” “YOUR,” or “T-MOBILE” means or refers to T-MOBILE USA, INC., and its divisions, subsidiaries, related companies, predecessors, and successors, all present and former officers, directors, agents, attorneys, employees, and all persons acting or purporting to act on behalf of any of them.

The singular includes the plural number and vice versa. The past tense includes the present tense where the clear meaning is not distorted by change of tense. The particularity or generality of any single discovery request shall not limit any other discovery request.

Where a request addresses acts or omissions of any entity, it shall be construed and interpreted to apply to the acts or omissions of that entity and the acts or omissions of that entity's employees, assigns, contractors, and any other agent of that entity.

All other terms shall be construed as necessary to bring within the scope of these requests any information that might otherwise be construed to be outside its scope.

INSTRUCTIONS

Please contact John C. Ochoa at (312) 572-7209, or email him at jochoa@edelson.com at your earliest convenience. The intent is to avoid or minimize unnecessary expenses or burdens on the respondent. Minimizing expenses and/or burdens will require early and cooperative communication.

If You object to producing a Document and/or Electronically Stored Information because of a privilege, You must provide the following information:

- (1) the nature of the privilege claimed, including work product;
- (2) if the privilege is being asserted in connection with a claim or defense governed by law, the privilege rule being invoked;
- (3) the date of the Document and/or electronically stored information;
- (4) the Document's type (e.g., letter or memorandum) and, if Electronically Stored Information, the software application used to create it (e.g., MS Word or MS Excel Spreadsheet), and the custodian, location, and such other information sufficient to identify the material, including, where appropriate, the author, the addressee, and the relationship between the author and addressee; and
- (5) the general subject matter of the Document and/or electronically stored information.

If the request is objected to on the basis that the time period covered by the request is irrelevant, burdensome, or otherwise inappropriate, state what time period You consider proper for that request, and answer the request for that time period, preserving Your objection to the remainder of the time period.

If You choose to provide in electronic media or machine-readable form (such as computer disk, cartridge, tape, punch cards, or other non-printed media) any Documents or other materials in Your answer, You must provide all information and things necessary for Plaintiff to fully access, read, and decode into plain English text all data and files so provided.

All electronic Documents, file systems, digital media and Electronically Stored Information are to be produced in their respective native formats with all associated metadata intact and, if such electronic Documents or Electronically Stored Information are no longer available in their native formats for any reason, please identify the reasons such native format Documents are no longer so available and the dates each such Document became unavailable.

All Documents are to be produced in the form, order, and manner in which they are maintained in Your files. Documents are to be produced in the folders, cartons, or containers in which they have been maintained, stored, clipped, stapled, or otherwise arranged in the same form and manner in which they were found and in such a manner that the office and location from which they were produced is readily identifiable. Whenever a Document (as defined) or group of Documents is taken out of a file folder, file drawer, file box, or notebook, before the same is produced, attach thereto a copy of the label on the file folder, file box, or notebook from which the Document or group of Documents was removed.

If any Document requested has been lost or destroyed since its creation, identify the nature of the Document (e.g. letter, email, etc.), the date of the Document, the Persons who sent

and received the original and any copy of the Document, a summary of the content of the Document, and describe when, where, how, and by whom said Document was lost or destroyed, and state the name of the Person(s) who last had custody thereof.

DOCUMENT REQUEST NO. 1

All Cellular Phone Bills Related To the phone number (207) 216-5082 for the period between January 1, 2011 and March 31, 2011.

DOCUMENT REQUEST NO. 2

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (207) 216-5082 between January 1, 2011 and March 31, 2011.

DOCUMENT REQUEST NO. 3

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (207) 216-5082 for the period between January 1, 2011 and March 31, 2011.

DOCUMENT REQUEST NO. 4

All Cellular Phone Bills Related To the phone number (208) 284-2934 for the period between June 1, 2011 and July 31, 2012.

DOCUMENT REQUEST NO. 5

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (208) 284-2934 between June 1, 2011 and July 31, 2012.

DOCUMENT REQUEST NO. 6

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (208) 284-2934 for the period between June 1, 2011 and July 31, 2012.

DOCUMENT REQUEST NO. 7

All Cellular Phone Bills Related To the phone number (251) 229-6791 for the period

between November 1, 2011 and Jan 1, 2012.

DOCUMENT REQUEST NO. 8

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (251) 229-6791 between November 1, 2011 and Jan 1, 2012.

DOCUMENT REQUEST NO. 9

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (251) 229-6791 for the period between November 1, 2011 and Jan 1, 2012.

DOCUMENT REQUEST NO. 10

All Cellular Phone Bills Related To the phone number (209) 200-0084 for the period between December 1, 2011 and January 31, 2012.

DOCUMENT REQUEST NO. 11

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (209) 200-0084 between December 1, 2011 and January 31, 2012.

DOCUMENT REQUEST NO. 12

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (209) 200-0084 for the period between December 1, 2011 and January 31, 2012.

DOCUMENT REQUEST NO. 13

All Cellular Phone Bills Related To the phone number (316) 281-5791 for the period between September 1, 2011 and November 30, 2011.

DOCUMENT REQUEST NO. 14

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (316) 281-5791 between September 1, 2011 and November 30, 2011.

DOCUMENT REQUEST NO. 15

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (316) 281-5791 for the period between September 1, 2011 and November 30, 2011.

DOCUMENT REQUEST NO. 16

All Cellular Phone Bills Related To the phone number (515) 441-6783 for the period between September 1, 2011 and November 30, 2011.

DOCUMENT REQUEST NO. 17

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (515) 441-6783 between September 1, 2011 and November 30, 2011.

DOCUMENT REQUEST NO. 18

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (515) 441-6783 for the period between September 1, 2011 and November 30, 2011.

DOCUMENT REQUEST NO. 19

All Cellular Phone Bills Related To the phone number (515) 771-7539 for the period between July 1, 2011 and August 31, 2011.

DOCUMENT REQUEST NO. 20

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (515) 771-7539 between July 1, 2011 and August 31, 2011.

DOCUMENT REQUEST NO. 21

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (515) 771-7539 for the period between July 1, 2011 and August 31, 2011.

DOCUMENT REQUEST NO. 22

All Cellular Phone Bills Related To the phone number (330) 983-3112 for the period between November 1, 2010 and January 31, 2011.

DOCUMENT REQUEST NO. 23

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (330) 983-3112 between November 1, 2010 and January 31, 2011.

DOCUMENT REQUEST NO. 24

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (330) 983-3112 for the period between November 1, 2010 and January 31, 2011.

DOCUMENT REQUEST NO. 25

All Cellular Phone Bills Related To the phone number (216) 856-2860 for the period between December 1, 2010 and January 31, 2011.

DOCUMENT REQUEST NO. 26

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (216) 856-2860 between December 1, 2010 and January 31, 2011.

DOCUMENT REQUEST NO. 27

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (216) 856-2860 for the period between December 1, 2010 and January 31, 2011.

DOCUMENT REQUEST NO. 28

All Cellular Phone Bills Related To the phone number (808) 989-5389 for the period between December 1, 2011 and February 28, 2012.

DOCUMENT REQUEST NO. 29

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (808) 989-5389 between December 1, 2011 and February 28, 2012.

DOCUMENT REQUEST NO. 30

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (808) 989-5389 for the period between December 1, 2011 and February 28, 2012.

DOCUMENT REQUEST NO. 31

All Cellular Phone Bills Related To the phone number (216) 235-3884 for the period between November 1, 2011 and January 31, 2012.

DOCUMENT REQUEST NO. 32

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (216) 235-3884 between November 1, 2011 and January 31, 2012.

DOCUMENT REQUEST NO. 33

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (216) 235-3884 for the period between November 1, 2011 and January 31, 2012.

DOCUMENT REQUEST NO. 34

All Cellular Phone Bills Related To the phone number (904) 514-9943 for the period between April 1, 2011 and June 30, 2011.

DOCUMENT REQUEST NO. 35

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (904) 514-9943 between April 1, 2011 and June 30, 2011.

DOCUMENT REQUEST NO. 36

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (904) 514-9943 for the period between April 1, 2011 and June 30, 2011.

DOCUMENT REQUEST NO. 37

All Cellular Phone Bills Related To the phone number (863) 399-1748 for the period between May 1, 2011 and July 31, 2011.

DOCUMENT REQUEST NO. 38

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (863) 399-1748 between May 1, 2011 and July 31, 2011.

DOCUMENT REQUEST NO. 39

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (863) 399-1748 for the period between May 1, 2011 and July 31, 2011.

DOCUMENT REQUEST NO. 40

All Cellular Phone Bills Related To the phone number (478) 461-9106 for the period between May 1, 2011 and June 30, 2011.

DOCUMENT REQUEST NO. 41

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (478) 461-9106 between May 1, 2011 and June 30, 2011.

DOCUMENT REQUEST NO. 42

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (478) 461-9106 for the period between May 1, 2011 and June 30, 2011.

DOCUMENT REQUEST NO. 43

All Cellular Phone Bills Related To the phone number (720) 288-4752 for the period

between May 1, 2011 and June 30, 2011.

DOCUMENT REQUEST NO. 44

All Documents and ESI identifying All phone numbers that were sent a Text Message from phone number (720) 288-4752 between May 1, 2011 and June 30, 2011.

DOCUMENT REQUEST NO. 45

All Documents and ESI Related To the cellular telephone subscriber(s) associated with the phone number (720) 288-4752 for the period between May 1, 2011 and June 30, 2011.

Dated: December 4, 2012

Respectfully Submitted,

FLEMMING KRISTENSEN, individually
and on behalf of a class of similarly situated
individuals

BY: /s/ John C. Ochoa
One of his attorneys

John Benedict, Esq.
LAW OFFICES OF JOHN BENEDICT
Nevada Bar No. 005581
2190 E. Pebble Road, Suite 260
Las Vegas, Nevada 89123
Telephone: (702) 333-3770
Facsimile: (702) 361-3685
john.benedict.esq@gmail.com

Evan Meyers (admitted *pro hac vice*)
emeyers@edelson.com
John C. Ochoa (admitted *pro hac vice*)
jochoa@edelson.com
EDELSON MCGUIRE LLC
350 North LaSalle Street, Suite 1300
Chicago, Illinois 60654
Telephone: (312) 589-6370
Facsimile: (312) 589-5378

Counsel for Plaintiff
FLEMMING KRISTENSEN

Exhibit J

EDELSON LLC FIRM RESUME

EDELSON LLC is a plaintiff's class action and commercial litigation firm with attorneys in Illinois, Colorado and California.

Our attorneys have been recognized as leaders in these fields by state and federal legislatures, national and international media groups, the courts, and our peers. Our reputation for leadership in class action litigation has led state and federal courts to appoint us lead counsel in many high-profile class action suits, including privacy class actions involving comScore, Netflix, Time, Microsoft, and Facebook, numerous Telephone Consumer Protection Act ("TCPA") against companies such as Google, Twentieth Century Fox, and Simon & Schuster, class actions against Citibank, Wells Fargo, and JP Morgan Chase related to reductions in home equity lines of credit, fraudulent marketing cases against software companies such as Symantec, mobile content class actions against all major cellular telephone carriers, the Thomas the Tank Engine lead paint class actions, and the tainted pet food litigation. We have testified before the United States Senate on class action issues and have repeatedly been asked to work on federal and state legislation involving cellular telephony, privacy and other issues. Our attorneys have appeared on dozens of national and international television and radio programs to discuss our cases and class action and consumer protection issues more generally. Our attorneys speak regularly at seminars on consumer protection and class action issues, lecture on class actions at law schools and are asked to serve as testifying experts in cases involving class action and consumer issues.

PLAINTIFFS' CLASS AND MASS ACTION PRACTICE GROUP

EDELSON LLC is a leader in plaintiffs' class and mass action litigation, with a particular emphasis on consumer technology class actions, and has been called a "class action 'super firm'". (Decalogue Society of Lawyers, Spring 2010.) As recognized by federal courts nationwide, our firm has an "extensive histor[y] of experience in complex class action litigation, and [is a] well-respected law firm[] in the plaintiffs' class action bar." *In re Pet Food Prod. Liab. Litig.*, MDL Dkt. No. 1850, No. 07-2867 (NLH) (D.N.J. Nov. 18, 2008). A leading arbitrator concurred: "The proof of [the firm's] experience, reputation, and abilities is extraordinary. . . . Each [of their cases] elaborates on the experience and unique success [they] have had in achieving leading roles in the area of 'technology consumer protection class actions.'" (Arbitration award in mobile content class action settlement, August 6, 2009)

In appointing our firm interim co-lead in one of the most high profile cases in the country, a federal court pointed to our ability to be "vigorous advocates, constructive problem-solvers, and civil with their adversaries." - *In Re JPMorgan Chase Home Equity Line of Credit Litig.*, No. 10 C 3647 (N.D. Ill, July 16, 2010). After hard fought litigation, that case settled, resulting in the reinstatement of between \$3.2 billion and \$4.7 billion in home credit lines.

We have been specifically recognized as "pioneers in the electronic privacy class action field, having litigated some of the largest consumer class actions in the country on this issue." *In re Facebook Privacy Litig.*, No. C 10-02389 (N.D. Cal) (order appointing the firm interim co-lead of privacy class action); see also *In re Netflix Privacy Litigation*, 5:11-cv-00379 (N.D. Cal. Aug. 12, 2011) (appointing the sole lead counsel due, in part, to its "significant and particularly

specialized expertise in electronic privacy litigation and class actions[.]”)

Similarly, as recognized by a recent federal court, our firm has “pioneered the application of the TCPA to text-messaging technology, litigating some of the largest consumer class actions in the country on this issue.” *Ellison v Steve Madden, Ltd.*, cv 11-5935 PSG (C.D. Cal. May 7, 2013).

We have several sub-specialties within our plaintiffs’ class action practice:

Privacy/Data Loss

Data Loss/Unauthorized Disclosure of Data

We have litigated numerous class actions involving issues of first impression against Facebook, Apple, Netflix, Sony, Red Box, Pandora, Sears, Storm 8, Google, T-Mobile, Microsoft and others involving the failure to protect customers’ private information, security breaches, and unauthorized sharing of personal information with third parties. Representative settlements and ongoing cases include:

- *Dunston v. comScore, Inc.*, No. 11-cv-5807: Lead counsel in certified class action accusing internet analytics company of improper data collection practices.
- *Resnick v Avmed*, No. 10-cv-24513 (S.D.Fl.): Lead counsel in data breach case filed against health insurance company. Obtained landmark appellate decision endorsing common law unjust enrichment theory, irrespective of whether identity theft occurred.
- *In re Netflix Privacy Litigation*, No. 5:11-cv-00379 (N.D. Cal.): Sole lead counsel in suit alleging that defendant violated the Video Privacy Protection Act by illegally retaining customer viewing information. Case resulted in a \$9 million dollar cy pres settlement that has been finally approved (pending appeal).
- *Halaburda v. Bauer Publishing Co.* 12-CV-12831 (E.D. Mich.), *Grenke v. Hearst Communications, Inc.*, 12-CV-14221 (E.D. Mich.), *Fox v. Time, Inc.*, 12-CV-14390 (E.D. Mich.) Consolidated actions brought under Michigan’s Video Rental Privacy Act, alleging unlawful disclosure of subscribers’ personal information. In a ground-breaking decision, the court denied three motions to dismiss finding that the magazine publishers were covered by the act and that the illegal sale of personal information triggers an automatic \$5,000 award to each aggrieved consumer.
- *Standiford v. Palm*, No. 5:09-cv-05719-LHK (N.D. Cal.): Sole lead counsel in data loss class action, resulting in \$640,000 settlement.
- *In re Zynga Privacy Litigation*, 10-cv-04680 (N.D. Cal.): Appointed co-lead counsel in suit against gaming application designer for the alleged unlawful disclosure of its users' personally identifiable information to

advertisers and other third parties.

- *In re Facebook Privacy Litigation*, 10-cv-02389 (N.D. Cal.): Appointed co-lead counsel in suit alleging that Facebook unlawfully shared its users' sensitive personally identifiable information with Facebook's advertising partners.
- *In re Sidekick Litig.*, No. C 09-04854-JW (N.D. Cal.): Co-lead counsel in cloud computing data loss case against T-Mobile and Microsoft. Settlement provided the class with potential settlement benefits valued at over \$12 million.
- *Desantis v. Sears*, 08 CH 00448 (Cook County, IL): Lead counsel in injunctive settlement alleging national retailer allowed purchase information to be publicly available through the internet.

Telephone Consumer Protection Act

Edelson has been at the forefront to TCPA litigation for over six years, having secured the groundbreaking *Satterfield* ruling in the Ninth Circuit applying the TCPA to text messages. In addition to numerous settlements totaling over \$100 million in relief to consumers, we have over two dozen putative TCPA class actions pending against companies including Santander Consumer USA, Inc., Walgreen Co., Path, Inc., Nuance Communications, Inc., Stonebridge Life Insurance, Inc., UnitedHealth Group, Inc., GEICO, DirectBuy, Inc., and RCI, Inc.. Representative settlements and ongoing cases include:

- *Rojas v CEC*, No. 1:10-cv-05260 (N.D. Ill): Lead counsel in text spam class action that settled for \$19,999,400.
- *In re Jiffy Lube Int'l Text Spam Litig*, No. 11-md-2261, 2012 WL 762888 (S.D. Cal. March 9, 2012): Co-lead counsel in \$35 million text spam settlement.
- *Ellison v Steve Madden, Ltd.*, cv 11-5935 PSG (C.D.Cal.): Lead counsel in \$10 million text spam settlement.
- *Kramer v. B2Mobile, et al*, No. 0-cv-02722-CW (N.D. Cal.): Lead counsel in \$12.2 million text spam settlement.
- *Pimental v. Google, Inc.*, No. 11-cv-02585 (N.D.Cal.): Lead counsel in class action alleging that defendant co-opted group text messaging lists to send unsolicited text messages. \$6 million settlement provides class members with an unprecedented \$500 recovery.
- *Robles v. Lucky Brand Dungarees, Inc.*, No. 10-cv-04846 (N.D.Cal.). Lead counsel in \$10 million text spam settlement.
- *Miller v. Red Bull*, No. 12-CV-04961 (N.D. Ill.) Lead counsel in preliminary approved \$6 million settlement.

- *Woodman et al v. ADP Dealer Services, et al*, 2013 CH 10169 (Cook Cnty Ill.) Lead counsel in \$7.5 million text spam settlement.
- *Lozano v. 20th Century Fox*, No. 09-cv-05344 (N.D. Ill): Lead counsel in class action alleging that defendants violated federal law by sending unsolicited text messages to cellular telephones of consumers. Case settled for \$16 million.
- *Satterfield v. Simon & Schuster*, No. C 06 2893 CW (N.D. Cal.). Co-lead counsel in in \$10 million text spam settlement.
- *Weinstein, et al. v. Airt2me, Inc.*, Case No. 06 C 0484 (N.D. Ill): Co-lead counsel in \$7 million text spam settlement.

Consumer Technology

Fraudulent Software

In addition to the settlements listed below, Edelson LLC has consumer fraud cases pending in courts nationwide against companies such as McAfee, Inc., Avanquest North America Inc., PC Cleaner, AVG, iolo Technologies, LLC, among others. Representative settlements include:

- *Drymon v. Cyberdefender*, No. 11 CH 16779 (Cook County, IL): Lead counsel in class action alleging that defendant deceptively designed and marketed its computer repair software. Case settled for \$9.75 million.
- *Gross v. Symantec Corp., et al.*, No. 3:12-cv-00154-CRB (N.D. Cal.) Lead counsel in class action alleging that defendant deceptively designed and marketed its computer repair software. Case settled for \$11 million.
- *LaGarde, et al. v. Support.com, Inc., et al.* (N.D. Cal.) Lead counsel in class action alleging that defendant deceptively designed and marketed its computer repair software. Case settled for \$8.59 million.
- *Ledet v. Ascentive LLC* (E.D. Pa.) Lead counsel in class action alleging that defendant deceptively designed and marketed its computer repair software. Case settled for \$9.6 million.
- *Webb, et al. v. Cleverbridge, Inc., et al.* (N.D. Ill.) Lead counsel in class action alleging that defendant deceptively designed and marketed its computer repair software. Case settled for \$5.5 million.

Video Games

Edelson LLC has litigated cases video game related cases against Activision Blizzard Inc., Electronic Arts, Inc., Google, and Zenimax Media, Inc., and has active litigation pending, including:

- *Locke v. Sega of America*, 13-cv-01962-MEJ (N.D. Cal.) Pending putative class action alleging that Sega of America and Gearbox Software released video game trailer that falsely represented the actual content of the game.

Mortgage & Banking

EDELSON LLC has been at the forefront of class action litigation arising in the aftermath of the federal bailouts of the banks. Our suits include claims that the certain banks unlawfully suspended home credit lines based on pre-textual reasons, and that certain banks have failed to honor loan modification programs. We achieved the first federal appellate decision in the country recognizing the right of borrowers to enforce HAMP trial plans under state law. The court noted that "Prompt resolution of this matter is necessary not only for the good of the litigants but for the good of the Country." *Wigod v. Wells Fargo Bank*, N.A., 673 F.3d 547, 586 (7th Cir. 2012) (Ripple, J., concurring). Our settlements have restored billions of dollars in home credit lines to people throughout the country. Representative cases and settlements include:

- *In re JP Morgan Chase Bank Home Equity Line of Credit Litig.*, 10-cv-3647 (N.D. Ill.): Court appointed interim co-lead counsel in nationwide putative class action alleging illegal suspensions of home credit lines. Settlement restored between \$3.2 billion and \$4.7 billion in credit to the class.
- *Hamilton v. Wells Fargo Bank, N.A.*, 4:09-cv-04152-CW (N.D. Cal.). Lead counsel in class actions challenging Wells Fargo's suspensions of home equity lines of credit. Nationwide settlement restores access to over \$1 billion in credit and provides industry leading service enhancements and injunctive relief.
- *In re Citibank HELOC Reduction Litigation*, 09-CV-0350-MMC. Lead counsel in class actions challenging Citibank's suspensions of home equity lines of credit. The settlement restored up to \$653,920,000 worth of credit to affected borrowers.
- *Wigod v. Wells Fargo*, No. 10-cv-2348 (N.D. Ill.): In ongoing putative class action, obtained first appellate decision in the country recognizing the right of private litigants to sue to enforce HAMP trial plans.

General Consumer Protection Class Actions

We have successfully prosecuted countless class action suits against computer software companies, technology companies, health clubs, dating agencies, phone companies, debt collectors, and other businesses on behalf of consumers. In addition to the settlements listed below, Edelson LLC has consumer fraud cases pending in courts nationwide against companies such as Motorola Mobility, Stonebridge Benefit Services, J.C. Penney,

Sempris LLC, and Plimus, LLC. Representative settlements include:

Mobile Content

We have prosecuted over 100 cases involving mobile content, settling numerous nationwide class actions, including against industry leader AT&T Mobility, collectively worth over a hundred million dollars.

- *McFerren v. AT&T Mobility, LLC*, No. 08-CV-151322 (Fulton County Sup. Ct., GA): Lead counsel class action settlement involving 16 related cases against largest wireless service provider in the nation. “No cap” settlement provided virtually full refunds to a nationwide class of consumers who alleged that unauthorized charges for mobile content were placed on their cell phone bills.
- *Paluzzi v. Cellco Partnership*, No. 07 CH 37213 (Cook County, Illinois): Lead counsel in class action settlement involving 27 related cases alleging unauthorized mobile content charges. Case settled for \$36 million.
- *Gray v. Mobile Messenger Americas, Inc.*, No. 08-CV-61089 (S.D. Fla.): Lead counsel in case alleging unauthorized charges were placed on cell phone bills. Case settled for \$12 million.
- *Parone v. m-Qube, Inc.* No. 08 CH 15834 (Cook County, Illinois): Lead counsel in class action settlement involving over 2 dozen cases alleging the imposition of unauthorized mobile content charges. Case settled for \$12.254 million.
- *Williams, et al. v. Motricity, Inc. et al.*, Case No. 09 CH 19089 (Cook County, Illinois): Lead counsel in class action settlement involving 24 cases alleging the imposition of unauthorized mobile content charges. Case settled for \$9 million.
- *VanDyke v. Media Breakaway, LLC*, No. 08 CV 22131 (S.D. Fla.): Lead counsel in class action settlement alleging unauthorized mobile content charges. Case settled for \$7.6 million.
- *Gresham v. Cellco Partnership*, No. BC 387729 (Los Angeles Sup. Ct.): Lead counsel in case alleging unauthorized charges were placed on cell phone bills. Settlement provided class members with full refunds.
- *Abrams v. Facebook, Inc.*, No. 07-05378 (N.D. Cal.): Lead counsel in injunctive settlement concerning the transmission of allegedly unauthorized mobile content.

Deceptive Marketing

- *Van Tassell v. UMG*, No. 1:10-cv-2675 (N.D. Ill): Lead counsel in negative option marketing class action. Case settled for \$2.85 million.
- *McK Sales Inc. v. Discover Bank*, No. 1:10-cv-02964 (N.D. Ill): Lead counsel in class action alleging deceptive marketing aimed at small businesses. Case settled for \$6 million.
- *Farrell v. OpenTable*, No 3:11-cv-01785-si (N.D. Cal.): Lead counsel in gift certificate expiration case. Settlement netted class over \$3 million in benefits.
- *Ducharme v. Lexington Law*, No. 10-cv-2763-crb (N.D. Cal): Lead counsel in CROA class action. Settlement resulted in over \$6 million of benefits to the class.
- *Pulcini v. Bally Total Fitness Corp.*, No. 05 CH 10649 (Cook County, IL): Co-lead counsel in four class action lawsuits brought against two health clubs and three debt collection companies. A global settlement provided the class with over \$40 million in benefits, including cash payments, debt relief, and free health club services.
- *Kozubik v. Capital Fitness, Inc.*, 04 CH 627 (Cook County, IL): Co-lead counsel in state-wide suit against a leading health club chain, which settled in 2004, providing the over 150,000 class members with between \$11 million and \$14 million in benefits, consisting of cash refunds, full debt relief, and months of free health club membership.
- *Kim v. Riscuity*, No. 06 C 01585 (N.D. Ill): Co-lead counsel in suit against a debt collection company accused of attempting to collect on illegal contracts. The case settled in 2007, providing the class with full debt relief and return of all money collected.
- *Jones v. TrueLogic Financial Corp.*, No. 05 C 5937 (N.D. Ill): Co-lead counsel in suit against two debt collectors accused of attempting to collect on illegal contracts. The case settled in 2007, providing the class with approximately \$2 million in debt relief.
- *Fertelmeyster v. Match.com*, No. 02 CH 11534 (Cook County, IL): Co-lead counsel in a state-wide class action suit brought under Illinois consumer protection statutes. The settlement provided the class with a collective award with a face value in excess of \$3 million.

- *Cioe v. Yahoo!, Inc.*, No. 02 CH 21458 (Cook County, IL): Co-lead counsel in a state-wide class action suit brought under state consumer protection statutes. The settlement provided the class with a collective award with a face value between \$1.6 million and \$4.8 million.
- *Zurakov v. Register.com*, No. 01-600703 (New York County, NY): Co-lead counsel in a class action brought on behalf of an international class of over one million members against Register.com for its allegedly deceptive practices in advertising on “coming soon” pages of newly registered Internet domain names. Settlement required Register.com to fully disclose its practices and provided the class with relief valued in excess of \$17 million.

Products Liability Class Actions

We have been appointed lead counsel in state and federal products liability class settlements, including a \$30, million settlement resolving the “Thomas the Tank Engine” lead paint recall cases and a \$32 million settlement involving the largest pet food recall in the history of the United States and Canada. Representative settlements include:

- *Barrett v. RC2 Corp.*, No. 07 CH 20924 (Cook County, IL): Co-lead counsel in lead paint recall case involving Thomas the Tank toy trains. Settlement is valued at over \$30 million and provided class with full cash refunds and reimbursement of certain costs related to blood testing.
- *In re Pet Food Products Liability Litig.*, No. 07-2867 (D. N.J.): Part of mediation team in class action involving largest pet food recall in United States history. Settlement provided \$24 million common fund and \$8 million in charge backs.

Insurance Class Actions

We have prosecuted and settled multi-million dollar suits against J.C. Penney Life Insurance for allegedly illegally denying life insurance benefits under an unenforceable policy exclusion and against a Wisconsin insurance company for terminating the health insurance policies of groups of self-insureds. Representative settlements include:

- *Holloway v. J.C. Penney*, No. 97 C 4555, (N.D. Ill.): One of the primary attorneys in a multi-state class action suit alleging that the defendant illegally denied life insurance benefits to the class. The case settled in or around December of 2000, resulting in a multi-million dollar cash award to the class.
- *Ramlow v. Family Health Plan* (Wisc. Cir. Ct., WI): Co-lead counsel in a class action suit challenging defendant's termination of health insurance to

groups of self-insureds. The plaintiff won a temporary injunction, which was sustained on appeal, prohibiting such termination and eventually settled the case ensuring that each class member would remain insured.

Mass/Class Tort Cases

Our attorneys were part of a team of lawyers representing a group of public housing residents in a suit based upon contamination related injuries, a group of employees exposed to second hand smoke on a riverboat casino, and a class of individuals suing a hospital and national association of blood banks for failure to warn of risks related to blood transfusions. Representative settlements include:

- *Aaron v. Chicago Housing Authority*, 99 L 11738, (Cook County, IL): Part of team representing a group of public housing residents bringing suit over contamination-related injuries. Case settled on a mass basis for over \$10 million.
- *Januszewski v. Horseshoe Hammond*, No. 2:00CV352JM (N.D. Ind.): Part of team of attorneys in mass suit alleging that defendant riverboat casino caused injuries to its employees arising from exposure to second-hand smoke.

The firm's cases regularly receive attention from local, national, and international media. Our cases and attorneys have been reported in the Chicago Tribune, USA Today, the Wall Street Journal, the New York Times, the LA Times, by the Reuters and UPI news services, and BBC International. Our attorneys have appeared on numerous national television and radio programs, including ABC World News, CNN, Fox News, NPR, and CBS Radio, as well as television and radio programs outside of the United States. We have also been called upon to give congressional testimony and other assistance in hearings involving our cases.

GENERAL COMMERCIAL LITIGATION

Our attorneys have handled a wide range of general commercial litigation matters, from partnership and business-to-business disputes, to litigation involving corporate takeovers. We have handled cases involving tens of thousands of dollars to “bet the company” cases involving up to hundreds of millions of dollars. Our attorneys have collectively tried hundreds of cases, as well as scores of arbitrations and mediations.

OUR ATTORNEYS

JAY EDELSON is the founder and Managing Partner of EDELSON LLC. He has been recognized as a leader in class actions, technology law, corporate compliance issues and consumer advocacy by his peers, the media, state and federal legislators, academia and courts throughout the country.

Jay has been appointed lead counsel in numerous state, federal, and international class actions, resulting in hundreds of millions of dollars for his clients. He is regularly asked to weigh in on

federal and state legislation involving his cases. He testified to the U.S. Senate about the largest pet food recall in the country's history and is advising state and federal politicians on consumer issues relating to the recent federal bailouts, as well as technology issues, such as those involving mobile marketing. Jay also counsels companies on legal compliance and legislative issues in addition to handling all types of complex commercial litigation.

Jay has litigated class actions that have established precedent concerning the ownership rights of domain name registrants, the applicability of consumer protection statutes to Internet businesses, and the interpretation of numerous other state and federal statutes including the Telephone Consumer Protection Act and the Video Privacy Protection Act. As lead counsel, he has also secured settlement in cases of first impression involving Facebook, Microsoft, AT&T and countless others, collectively worth hundreds of millions of dollars.

In addition to technology based litigation, Jay has been involved in a number of high-profile "mass tort" class actions and product recall cases, including cases against Menu Foods for selling contaminated pet food, a \$30 million class action settlement involving the Thomas the Tank toy train recall, and suits involving damages arising from second-hand smoke.

In 2009, Jay was named one of the top 40 Illinois attorneys under 40 by the Chicago Daily Law Bulletin. In giving Jay that award, he was heralded for his history of bringing and winning landmark cases and for his "reputation for integrity" in the "rough and tumble class action arena." In the same award, he was called "one of the best in the country" when it "comes to legal strategy and execution." Also in 2009, Jay was included in the American Bar Association's "24 hours of Legal Rebels" program, where he was dubbed one of "the most creative minds in the legal profession" for his views of associate training and firm management. In 2010, he was presented with the Annual Humanitarian Award in recognition of his "personal integrity, professional achievements, and charitable contributions" by the Hope Presbyterian Church. Starting in 2011, he has been selected as an Illinois Super Lawyer and, separately, as a top Illinois class action lawyer by Benchmark Plaintiff.

Jay is frequently asked to participate in legal seminars and discussions regarding the cases he is prosecuting, including serving as panelist on national symposium on tort reform and, separately, serving as a panelist on litigating high-profile cases. He has also appeared on dozens of television and radio programs to discuss his cases. He has taught classes on class action law at Northwestern Law School and The John Marshall Law School, and has co-chaired a 2-day national symposium on class action issues. He has been an adjunct professor, teaching a seminar on class action litigation at Chicago-Kent College of Law since 2010.

Jay is a graduate of Brandeis University and the University of Michigan Law School.

RYAN D. ANDREWS is a Partner at EDELSON LLC, and the Chair of the Telecommunications Practice Group. Mr. Andrews has been appointed class counsel in numerous state and federal class actions nationwide that have resulted in nearly \$100 million dollars in refunds to consumers, including *Satterfield v. Simon & Schuster, Inc.*, No. C 06 2893 CW (N.D. Cal.), *Gray v. Mobile Messenger Americas, Inc.*, No. 08-CV-61089 (S.D. Fla.), *Lofton v. Bank of America Corp.*, No. 07-5892 (N.D. Cal.), *Paluzzi v. Cellco Partnership*, No. 07 CH 37213 (Cook County, Ill.), *Parone v. m-Qube, Inc.* No. 08 CH 15834 (Cook County, Ill.), and *Kramer v. Autobytel*,

Inc., No. 10-cv-2722 (N.D. Cal. 2010).

In addition, Mr. Andrews has achieved groundbreaking court decisions protecting consumers through the application of the Telephone Consumer Protection Act to emerging text-messaging technology. Representative reported decisions include: *Lozano v. Twentieth Century Fox*, 702 F. Supp. 2d 999 (N.D. Ill. 2010), *Satterfield v. Simon & Schuster, Inc.* 569 F.3d 946 (9th Cir. 2009), and *Kramer v. Autobytel, Inc.*, 759 F. Supp. 2d 1165 (N.D. Cal. 2010), *In re Jiffy Lube Int'l Text Spam Litig.*, --- F. Supp. 2d ---, No. 11-md-2261, 2012 WL 762888 (S.D. Cal. March 9, 2012).

Mr. Andrews received his J.D. with High Honors from the Chicago-Kent College of Law and was named Order of the Coif. Recently, Mr. Andrews has returned to Chicago-Kent as an Adjunct Professor of Law, teaching a third-year seminar on Class Actions. While in law school, Mr. Andrews was a Notes & Comments Editor for The Chicago-Kent Law Review, as well as a teaching assistant for both Property Law and Legal Writing courses. Mr. Andrews externed for the Honorable Joan B. Gottschall in the United State District Court for the Northern District of Illinois.

A native of the Detroit area, Mr. Andrews graduated from the University of Michigan, earning his B.A., with distinction, in Political Science and Communications.

Mr. Andrews is licensed to practice in Illinois state courts, the United States District Court for the Northern District of Illinois, the U.S. Court of Appeals for the Seventh Circuit, and the U.S. Court of Appeals for the Ninth Circuit.

RAFEY S. BALABANIAN is a Partner and the Chair of the Corporate Governance and Business Litigation Practice Group. Rafey's practice focuses upon a wide range of complex consumer class action litigation, as well as general business litigation.

On the plaintiff's side, Rafey has been appointed lead counsel in numerous class actions, including landmark settlements involving the telecom industry worth hundreds of millions of dollars. Rafey has been appointed Class Counsel in nationwide class action settlements against the major wireless carriers, aggregators, and providers of "mobile content," including *Van Dyke v. Media Breakaway, LLC*, No. 08-cv-22131 (S.D. Fla.); *Parone v. m-Qube, Inc.*, 08 CH 15834 (Cir. Ct. Cook County, Ill.); *Williams v. Motricity, Inc.*, et al., No. 09 CH 19089 (Cir. Ct. Cook County, Ill.); and *Walker v. OpenMarket, Inc.*, et al., No. 08 CH 40592 (Cir. Ct. Cook County, Ill.).

On the business side, Rafey has counseled clients ranging from "emerging technology" companies, real estate developers, hotels, insurance companies, lenders, shareholders and attorneys. He has successfully litigated numerous multi-million dollar cases, including several "bet the company" cases.

Rafey has first chaired jury and bench trials, mediations, and national and international arbitrations.

Rafey received his J.D. from the DePaul University College of Law in 2005. While in law school, he received a certificate in international and comparative law. Rafey received his B.A. in History, with distinction, from the University of Colorado – Boulder in 2002.

STEVEN LEZELL WOODROW is a Partner and Chair of the firm's Banking and Financial Services Practice Group. Mr. Woodrow focuses his practice on complex national class actions against some of the Country's largest financial institutions. Representative matters include cases against national banks and mortgage servicers for improper loan modification practices, unlawful home equity line of credit ("HELOC") account suspensions and reductions, and claims regarding the misapplication of payments.

Mr. Woodrow delivered the winning oral argument in *Wigod v. Wells Fargo Bank, N.A.* (7th Cir. 2012), the first federal appellate court decision to allow borrowers to challenge bank failures to follow the federal Home Affordable Modification Program ("HAMP") under state law.

Courts have also appointed Mr. Woodrow as class counsel in nationwide class action settlements against cellphone companies, aggregators, and mobile content providers related to unauthorized charges for ringtones and other mobile content, including *Paluzzi v. Cellco Partnership*, *Williams et. al. v. Motricity, Inc.*, and *Walker et. al. v. OpenMarket Inc.*

Mr. Woodrow has also served as an Adjunct Professor of Law at Chicago-Kent College of Law where he co-taught a seminar on class actions. Prior to joining the firm, he worked as a litigator at a Chicago boutique where he tried and arbitrated a range of consumer protection and real estate matters.

Mr. Woodrow received his J.D. High Honors, Order of the Coif, from Chicago-Kent College of Law in 2005. During law school, Mr. Woodrow served as a Notes and Comments Editor for The Chicago-Kent Law Review, competed on Moot Court, and served as President of the Student Bar Association. He additionally spent a semester as a judicial extern for the Honorable Ann C. Williams on the United States Court of Appeals for the Seventh Circuit. Steven received the ALI-ABA Scholarship and Leadership Award for best representing the combination of leadership and scholarship in his graduating class as well as the Lowell H. Jacobson Memorial Scholarship, which is awarded competitively each year to a student from one of the law schools in the Seventh Circuit to recognize personal commitment and achievement.

Mr. Woodrow is admitted to practice in Colorado (2011) and Illinois (2005).

Mr. Woodrow received his B.A. in Political Science with Distinction from the University of Michigan—Ann Arbor in 2002.

SEAN P. REIS is Of Counsel to EDELSON LLC. Sean is an experience trial attorney and business litigator. Sean has experience in a wide-range of litigation matters, including those involving trade secrets, real estate fraud, employment, and consumer issues. Sean has tried sixteen cases, including several multi-week jury trials.

Prior to joining EDELSON LLC, Sean was trained at an international law firm and later founded his own practice. In 1993, Sean graduated from University of California at San Diego with a degree in quantative economics. Following that Sean graduated from Rutgers University School of Law, Newark, where he was the business editor of the Rutgers Law Review and where he received the graduation for appellate advocacy.

DAVID DALE is an Associate at EDELSON LLC, where he focuses on plaintiff's privacy class actions and litigation.

David received his J.D., magna cum laude, from the John Marshall School of Law, where he was a member of the Law Review, Trial Advocacy Council, and a Teaching Assistant for Prof. Rogelio Lasso in several torts courses. While in law school, David served as a judicial extern to the Honorable James F. Holderman, Chief Judge of the United States District Court for the Northern District of Illinois.

David attended the University of Missouri, where he graduated with a B.J. in Journalism in 2004. Prior to choosing law school, David worked in the fields of marketing, advertising and public relations for the University of Missouri.

CHRISTOPHER L. DORE is an associate at Edelson and a member of the Technology and Fraudulent Marketing Group. Chris focuses his practice on emerging consumer technology issues, with his cases relating to online fraud, deceptive marketing, consumer privacy, negative option membership enrollment, and unsolicited text messaging. Chris is also a member of the firm's Incubation and Startup Development Group wherein he consults with emergent businesses.

Chris has been appointed class counsel in multiple class actions, including one of the largest text-spam settlements under the Telephone Consumer Protection Act, ground breaking issues in the mobile phone industry and fraudulent marketing, as well as consumer privacy. (*Pimental v. Google, Inc.*, No. 11-cv-02585 (N.D.Cal.); *Kramer v. Autobytel, Inc.* (10-cv-02722-CW); *Turner v. Storm8, LLC*, (09-cv-05234) (N.D. Cal.); *Standiford v Palm, Inc.* (09-cv-05719-LHK) (N.D. Cal.); and *Espinal v Burger King Corporation*, (09-20982) (S.D. Fla.)). In addition, Chris has achieved groundbreaking court decisions protecting consumer rights. Representative reported decisions include: *Claridge v. RockYou, Inc.* 785 F.Supp.2d 855 (N.D. Cal.), *Kramer v. Autobytel, Inc.*, 759 F.Supp.2d 1165 (N.D. Cal.), and *Van Tassell v. United Marketing Group, LLC*, 795 F.Supp.2d 770 (N.D.Ill.). In total, his suits have resulted in hundreds of millions of dollars to consumers.

Prior to joining Edelson, Chris worked for two large defense firms in the areas of employment and products liability. Chris graduated magna cum laude from The John Marshall Law School, where he served as the Executive Lead Articles for the Law Review, as well as a team member for the D.M. Harish International Moot Court Competition in Mumbai, India. Chris has since returned to his alma mater to lecture on current issues in class action litigation and negotiations.

Before entering law school, Chris received his Masters degree in Legal Sociology, graduating magna cum laude from the International Institute for the Sociology of Law, located in Onati, Spain. Chris received his B.A. in Legal Sociology from the University of California, Santa Barbara.

CHANDLER GIVENS is an Associate at EDELSON LLC, where his practice focuses on technology and privacy class actions. His lawsuits have centered on fraudulent software development, unlawful tracking of consumers through mobile devices and computers, illegal

data retention, and data breach litigation.

Chandler leads a group of researchers in investigating complex technological fraud and privacy related violations. His team's research has lead to cases that have helped cause significant reforms to the utility software industry and resulted in tens of millions of dollars to U.S. consumers. On the privacy litigation front, Chandler plays an instrumental role in applying new technologies to federal and state statutes. His briefing of these issues has helped produce seminal rulings under statutes like the Stored Communications Act and establish data breach jurisprudence favorable to consumers.

A frequent speaker on emerging law and technology issues, Chandler has presented to legal panels and state bar associations on topics ranging from data privacy and security to complex litigation and social media. He has been featured on syndicated radio, quoted in major publications such as Reuters and PCWorld, and been an invited Cyberlaw guest lecturer at his alma mater.

Chandler graduated from the University of Pittsburgh School of Law where he was a research assistant for Cyberlaw Professor Dr. Kevin Ashley, and a judicial extern for the Honorable David S. Cercone of the United States District Court for the Western District of Pennsylvania. He graduated cum laude from Virginia Tech, with a B.S. in business information technology, with a focus on computer-based decision support systems. Chandler sits on the ABA committees for Information Security and e-Discovery.

Before joining the legal profession, Chandler worked as a systems analyst. He has also interned at the Virginia Attorney General's Office as well as the U.S. Department of Justice in Washington D.C.

ALICIA HWANG is an Associate at EDELSON LLC. Alicia practices in the area of consumer class action and general litigation.

Alicia received her J.D. from the Northwestern University School of Law in May 2012, where she was an articles editor for the Journal of Law and Social Policy. During law school, Alicia was a legal intern for the Chinese American Service League, served as president of the Asian Pacific American Law Student Association and the Student Animal Legal Defense Fund, and was Chair of the Student Services Committee. She also worked as a student in the Northwestern Entrepreneurship Law Clinic and Complex Civil Litigation and Investor Protection Clinic.

Prior to joining EDELSON LLC, Alicia worked as an Executive Team Leader for the Target Corporation, as well as a public relations intern for a tourism-marketing agency in London.

Alicia graduated magna cum laude from the University of Southern California, earning her B.A. in Communication in 2007. She is a member of the Phi Beta Kappa honor society.

NICK LARRY is an Associate at EDELSON LLC. Nick practices in the area of consumer class action and general litigation.

Nick received his J.D., cum laude, from Northwestern University School of Law, where he was a senior editor of the Northwestern University Journal of International Law and Business.

Nick attended Michigan State University, where he graduated with a B.A. in General Business Administration/Pre-law in 2008 and played on the school's rugby team.

MEGAN LINDSEY is an Associate at EDELSON LLC. Megan practices in the area of consumer class action, focusing on complex class actions in the banking industry.

Prior to joining EDELSON LLC, Megan worked for several years as a commercial loan underwriter and portfolio officer at Merrill Lynch, Pierce, Fenner & Smith. Megan also worked as an analyst in the troubled asset group at Bank of America, helping to monitor and restructure high-risk loans.

Megan received her J.D. from Chicago-Kent College of Law in May 2011. During law school Megan externed for the Honorable Judge Bauer in the Seventh Circuit Court of Appeals and served as Vice President-Evening Division of the Student Bar Association and Vice President of the Moot Court Honor Society. Megan also represented Chicago-Kent at the National First Amendment Moot Court Competition in Nashville, Tennessee and the National Cultural Heritage Law Moot Court Competition in Chicago, Illinois.

Megan graduated with High Honors from DePaul University in July 2005, earning her B.S. in Finance.

DAVID I. MINDELL is an Associate at EDELSON LLC. David practices in the area of technology and privacy class actions.

David has worked on cases involving fraudulent software products, unlawful collection and retention of consumer data, and mobile-device privacy violations. David also serves as a business consultant to private companies at all stages of development, from start-up to exit.

Prior to joining EDELSON LLC, David co-founded several technology companies that reached multi-million dollar valuations within 12 months of launch. David has advised or created strategic development and exit plans for a variety of other technology companies.

While in law school, David was a research assistant for University of Chicago Law School Kauffman and Bigelow Fellow, Matthew Tokson, and for the preeminent cyber-security professor, Hank Perritt at the Chicago-Kent College of Law. David's research included cyberattack and denial of service vulnerabilities of the Internet, intellectual property rights, and privacy issues.

David has given speeches related to his research to a wide-range of audiences.

JOHN OCHOA is an associate at Edelson LLC, focusing his practice on protecting consumers with a special emphasis on plaintiffs' privacy class action litigation, including cases brought under the Telephone Consumer Protection Act. John prosecutes cases in both state and federal courts at the trial and appellate levels.

John has secured important court decisions protecting the rights of consumers, including *Elder v.*

Pacific Bell Telephone Co., et al., 205 Cal. App. 4th 841 (2012), where the California Court of Appeals held that consumers may pursue claims against telecommunications companies for placing unauthorized charges on consumers' telephone bills, a practice known as "cramming." John was also appointed class counsel in *Lee v. Stonebridge Life Ins. Co., et al.*, --- F.R.D. ---, 2013 WL 542854 (N.D. Cal. Feb. 12, 2013), a case where the Defendants are alleged to have caused the transmission of unauthorized text messages to the cellular telephones of thousands of consumers.

He graduated magna cum laude from the John Marshall Law School in May, 2010 and served as Managing Editor for the John Marshall Law Review. His student Comment, which examines bicycling and government tort immunity in Illinois, appears in Vol. 43, No. 1 of the John Marshall Law Review. While in law school, John externed with Judge Thomas Hoffman at the Illinois Court of Appeals, and competed in the ABA National Appellate Advocacy Competition.

John is active in the Illinois legal community, and serves as Co-Chair of the Membership Committee on the Young Professionals Board of Illinois Legal Aid Online (ILAO). ILAO is a non-profit organization committed to using technology to increase access to free and pro bono legal services for underserved communities throughout Illinois.

He received his B.A. with Honors in Political Science from the University of Iowa in 2004.

ROGER PERLSTADT is an Associate at EDELSON LLC, where he concentrates on appellate and complex litigation advocacy. Roger graduated from the University of Chicago Law School, where he was a member of the University of Chicago Law Review. After law school, he served as a clerk to the Honorable Elaine E. Bucklo of the United States District Court for the Northern District of Illinois.

Prior to joining the firm, Roger spent several years at a litigation boutique in Chicago where his practice included employment and housing discrimination claims, constitutional litigation, and general commercial matters. In 2011, he was named a Rising Star by Illinois Super Lawyers Magazine.

Roger also spent time as a Visiting Assistant Professor at the University of Florida Law School where he taught Arbitration, Conflict of Laws, and Employment Discrimination, and has published articles on the Federal Arbitration Act in various law reviews.

EVE-LYNN RAPP is an Associate at EDELSON LLC. Eve-Lynn focuses her practice in the areas of consumer and technology class action litigation.

Prior to joining EDELSON LLC, Eve-Lynn was involved in numerous class action cases in the areas of consumer and securities fraud, debt collection abuses and public interest litigation. Eve-Lynn has substantial experience in both state and federal courts, including successfully briefing issues in both the United States and Illinois Supreme Courts.

Eve-Lynn received her J.D. from Loyola University of Chicago-School of Law, graduating cum laude, with a Certificate in Trial Advocacy. During law school, Eve-Lynn was an Associate Editor of Loyola's International Law Review and externed as a "711" at both the Cook County

State's Attorney's Office and for Cook County Commissioner Larry Suffredin. Eve-Lynn also clerked for both civil and criminal judges (The Honorable Judge Yvonne Lewis and Plummer Lott) in the Supreme Court of New York.

Eve-Lynn graduated from the University of Colorado, Boulder, with distinction and Phi Beta Kappa honors, receiving a B.A. in Political Science.

BENJAMIN H. RICHMAN is an Associate at EDELSON LLC and is a member of the firm's Corporate Governance and Business Litigation Practice Group. He handles plaintiff's-side consumer class actions, focusing mainly on technology-related cases, represents corporate defendants in class actions, and handles general commercial litigation matters.

On the plaintiff's side, Ben has brought industry-changing lawsuits involving the marketing practices of the mobile industry, print and online direct advertisers, and Internet companies. He has successfully prosecuted cases involving privacy claims and the negligent storage of consumer data. His suits have also uncovered complex fraudulent methodologies of Web 2.0 companies, including the use of automated bots to distort the value of consumer goods and services. In total, his suits have resulted in hundreds of millions of dollars to consumers.

On the defense side, Ben has represented large institutional lenders in the defense of employment class actions. He also routinely represents technology companies in a wide variety of both class action defense and general commercial litigation matters.

Ben received his J.D. from The John Marshall Law School, where he was an Executive Editor of the Law Review and earned a Certificate in Trial Advocacy. While in law school, Ben served as a judicial extern to the Honorable John W. Darrah of the United States District Court for the Northern District of Illinois, in addition to acting as a teaching assistant for Prof. Rogelio Lasso in several torts courses. Ben has since returned to the classroom as a guest-lecturer on issues related to class actions, complex litigation and negotiation. He also lectures incoming law students on the core first year curriculums. Before entering law school, Ben graduated from Colorado State University with a B.S. in Psychology.

Ben is the director of EDELSON LLC's Summer Associate Program.

ARI J. SCHARG is an associate at Edelson LLC. He handles technology-related class actions, focusing mainly on cases involving the unlawful geo-location tracking of consumers through their mobile devices, the illegal collection, storage, and disclosure of personal information, fraudulent software products, data breaches, and text message spam. His settlements have resulted in tens of millions of dollars to consumers, as well as industry-changing injunctive relief. Ari has been appointed class counsel by state and federal courts in several nationwide class action settlements, including *Webb v. Cleverbridge, et al.*, 11-cv-4141 (N.D. Ill.), *Missaghi v. Blockbuster*, 11-cv-2559 (D. Minn.), *Ledet v. Ascentive*, 11-cv-294 (E.D. Penn.), and *Drymon v. CyberDefender*, 11 CH 16779 (Cook Cnty, Illinois), and was appointed sole-lead class counsel in *Loewy v. Live Nation*, 11-cv-4872 (N.D. Ill.), where the court praised his work as "impressive" and noted that he "understand[s] what it means to be on a team that's working toward justice." Ari was selected as an Illinois Rising Star (2013) by Super Lawyers.

Prior to joining the firm, Ari worked as a litigation associate at a large Chicago firm, where he represented a wide range of clients including Fortune 500 companies and local municipalities. His work included representing the Cook County Sheriff's Office in several civil rights cases and he was part of the litigation team that forced Craigslist to remove its "Adult Services" section from its website.

Ari is very active in community groups and legal industry associations. He is a member of the Board of Directors of the Chicago Legal Clinic, an organization that provides legal services to low-income families in the Chicago area. Ari acts as Outreach Chair of the Young Adult Division of American Committee for the Shaare Zedek Medical Center in Jerusalem, and is actively involved with the Anti-Defamation League. He is also a member of the Standard Club Associates Committee.

Ari received his B.A. in Sociology from the University of Michigan – Ann Arbor and graduated magna cum laude from The John Marshall Law School where he served as a Staff Editor for The John Marshall Law Review and competed nationally in trial competitions. During law school, he also served as a judicial extern to The Honorable Judge Bruce W. Black of the U.S. Bankruptcy Court for the Northern District of Illinois.

BEN THOMASSEN is an Associate at Edelson LLC. At the firm, Ben's practice centers on the prosecution of class actions cases that address federally protected privacy rights and issues of consumer fraud—several of which have established industry-changing precedent. Among other high profile cases, Ben recently played key roles in delivering the winning oral argument before the United States Court of Appeals for the Eleventh Circuit in *Curry v. AvMed*, 693 F.3d 1317 (11th Cir. 2012) (a data breach case that has, following the Eleventh Circuit's decision, garnered national attention both within and without the legal profession) and securing certification of a massive consumer class in *Dunstan v. comScore*, No. 11 C 5807, 2013 WL 1339262 (N.D. Ill. Apr. 2, 2013) (estimated by several sources as the largest privacy case ever certified on an adversarial basis).

Ben received his J.D., magna cum laude, from Chicago-Kent College of Law, where he also earned his certificate in Litigation and Alternative Dispute Resolution and was named Order of the Coif. At Chicago-Kent, Ben was Vice President of the Moot Court Honor Society and earned (a currently unbroken firm record of) seven CALI awards for receiving the highest grade in Appellate Advocacy, Business Organizations, Conflict of Laws, Family Law, Personal Income Tax, Property, and Torts.

Before settling into his legal career, Ben worked in and around the Chicago and Washington, D.C. areas in a number of capacities, including stints as a website designer/developer, a regular contributor to a monthly Capitol Hill newspaper, and a film projectionist and media technician (with many years experience) for commercial theatres, museums, and educational institutions. Ben received his Bachelor of Arts, summa cum laude, from St. Mary's College of Maryland and his Master of Arts from the University of Chicago.